



## ***Environmental Planning Commission***

***Agenda Number: 12  
Project Number: 1010903  
Case #: 16EPC-40030  
November 10, 2016***

### ***Staff Report***

<b><i>Applicant</i></b>	High Dessert Assisted Living, LLC
<b><i>Request</i></b>	<b>Zone Map Amendment (Zone Change)</b>
<b><i>Legal Description</i></b>	Lot 1, Block B, Monterey Manor
<b><i>Location</i></b>	On Sierra Grande Ave. NE, between Lomas Blvd. and Mountain Rd.
<b><i>Size</i></b>	Approximately .24 acres
<b><i>Existing Zoning</i></b>	R-1
<b><i>Proposed Zoning</i></b>	O-1

### ***Staff Recommendation***

***DENIAL of Case # 16EPC-40030 based on the Findings beginning on Page # 9.***

***Staff Planner  
Vicente M. Quevedo, Planner***

### ***Summary of Analysis***

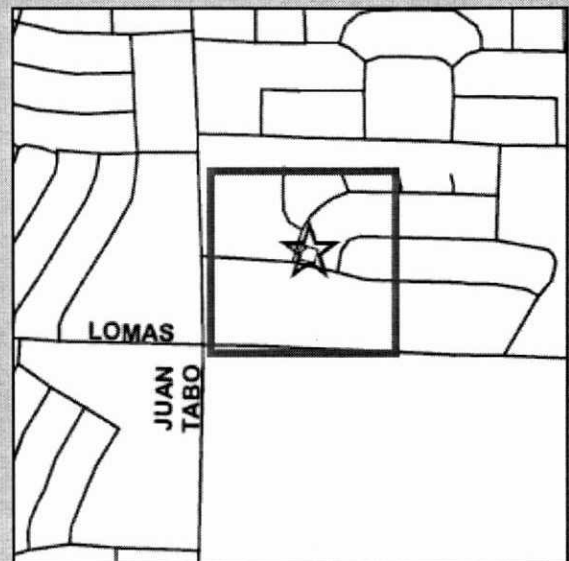
This is a request for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE between Lomas Blvd. and Mountain Rd. from R-1 (Residential) to O-1 (Office & Institutional).

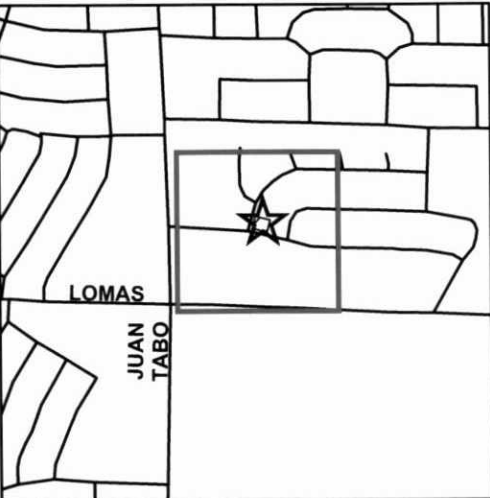
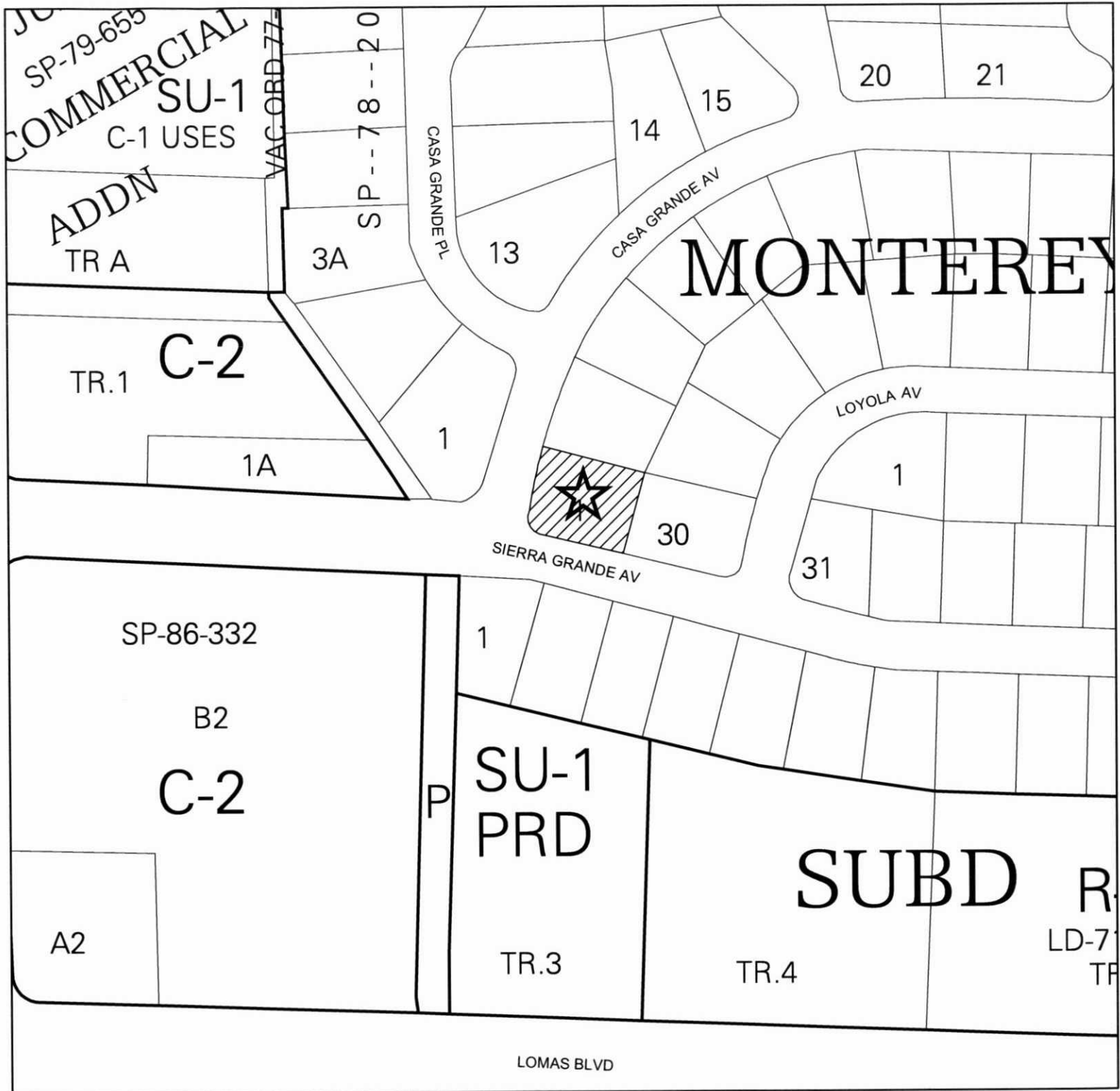
The subject site is located within the Established Urban Area of the Comprehensive Plan. The subject site is also located within the Monterey Manor residential subdivision. There are C-2 commercial service and retail land uses located just west of the subdivision area. There are also higher density residential uses (SU-1 for PRD & R-3) south of the subdivision area.

A facilitated meeting was held on July 29, 2016. Planning Staff has received several letters and a petition opposing the zone change request.

Following Staff review of the project narrative, the applicant has not justified the zone change request pursuant to the requirements of R270-1980.

Staff is recommending denial of the zone change request per the findings contained within the staff report.





### ZONING MAP

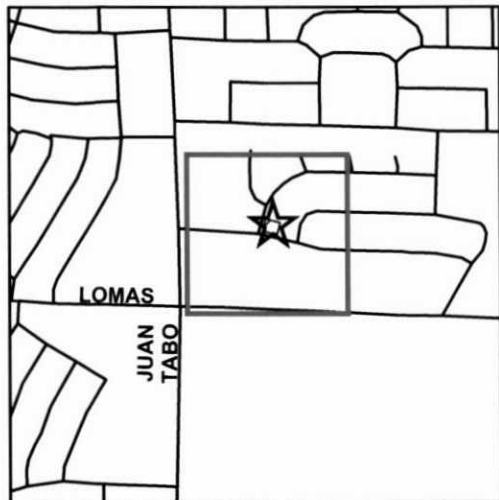
Note: Grey shading indicates County.



1 inch = 143 feet

Project Number:  
1010903  
Hearing Date:  
08/11/2016  
Zone Map Page: j-22  
Additional Case Numbers:  
16EPC-40030





## LANDUSE MAP

Note: Grey shading  
indicates County.

### KEY to Land Use Abbreviations

AGRI Agriculture  
 COMM Commercial - Retail  
 CMSV Commercial - Service  
 DRNG Drainage  
 MFG Manufacturing  
 MULT Multi-Family or Group Home  
 PARK Park, Recreation, or Open Space  
 PRKG Parking  
 PUBF Public Facility  
 SF Single Family  
 TRAN Transportation Facility  
 VAC Vacant Land or Abandoned Buildings  
 WH Warehousing & Storage

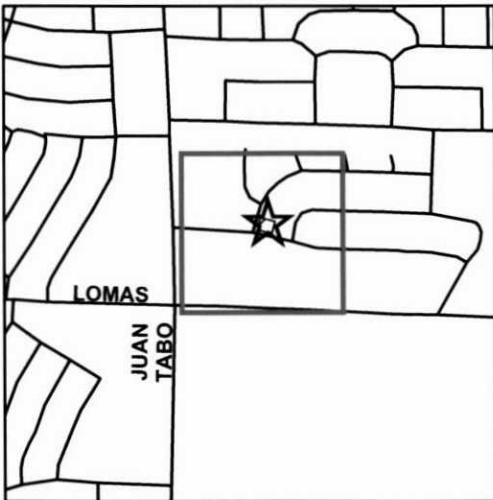


1 inch = 143 feet

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## HISTORY MAP

Note: Grey shading indicates County.

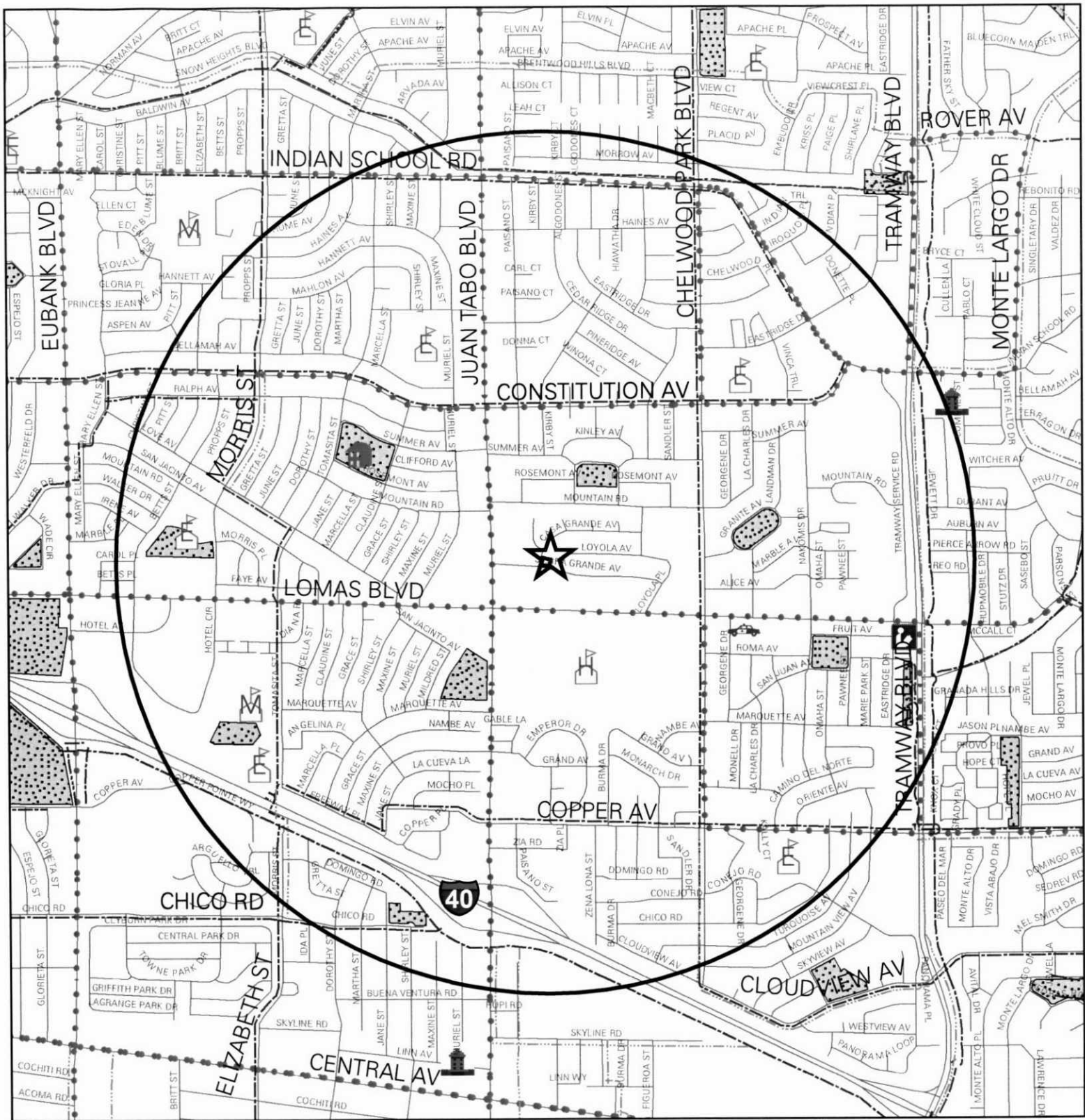


1 inch = 143 feet

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Public Facilities Map with One-Mile Buffer



- |                      |                         |                          |                             |
|----------------------|-------------------------|--------------------------|-----------------------------|
| COMMUNITY CENTER     | FIRE                    | APS Schools              | Landfill Buffer (1000 feet) |
| MULTI-SERVICE CENTER | POLICE                  | ABQ Ride Routes          | Landfills designated by EHD |
| SENIOR CENTER        | SHERIFF                 | ABQ Bike Facilities      | Developed County Park       |
| LIBRARY              | SOLID WASTE             | Proposed Bike Facilities | Undeveloped County Park     |
| MUSEUM               | Albuquerque City Limits |                          | Developed City Park         |
|                      |                         |                          | Undeveloped City Park       |

Project Number: 1010903

0 0.5 1 Miles

## **I. AREA CHARACTERISTICS AND ZONING HISTORY**

### ***Surrounding zoning, plan designations, and land uses:***

	<b><i>Zoning</i></b>	<b><i>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</i></b>	<b><i>Land Use</i></b>
<b><i>Site</i></b>	R-1	Established Urban Area	Single Family Residential
<b><i>North</i></b>	R-1	Established Urban Area	Single Family Residential
<b><i>South</i></b>	R-1, R-3, SU-1 for PRD	Established Urban Area	Single & Multi-Family Residential
<b><i>East</i></b>	R-1	Established Urban Area	Single Family Residential
<b><i>West</i></b>	C-2, SU-1 for C-1 Uses	Established Urban Area	Commercial Service & Retail

## **II. INTRODUCTION**

### ***Proposal***

This is a request for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE between Lomas Blvd. and Mountain Rd. from R-1 (Residential) to O-1 (Office & Institutional) to increase the allowable maximum number of client residents from up to ten (which is the allowed maximum under the existing R-1 zoning designation) to up to eighteen (which is the allowed maximum under the requested O-1 zoning designation) for a future assisted living home on the subject site located within the Monterey Manor residential subdivision area. The applicant is currently in the process of completing tenant improvements within the residential unit on the subject site. The requested action has been deferred twice at the request of the applicant. The request was originally submitted on June 30, 2016 for the August 11, 2016 EPC public hearing, and has been deferred twice (for a total of 90 days) at the applicant's request for the stated purpose of allowing the applicant additional time to revise their R270-1980 Zone Map Amendment justification narrative.

### ***EPC Role***

The EPC is hearing this case because the EPC has the authority to hear all Zone Map Amendments within the City of Albuquerque. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.



### ***History/Background***

The existing R-1 zoning for the subject site appears to have been established around the time that the subject site was annexed into the City of Albuquerque in approximately 1963 (S-1243 & S-1243-A). The subject site currently contains a residential dwelling unit that was converted into an Assisted Living Facility (which is allowed under the existing R-1 zoning designation) that operated from February 1989 until June 2014. The unit has been vacant for approximately two years.

### ***Context***

The subject site is located within the Monterey Manor residential subdivision. There are C-2 commercial service and retail land uses located just west of the subdivision area. There are also higher density residential uses (SU-1 for PRD & R-3) south of the subdivision area.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The LRRS designates Lomas Blvd as a Regional Principal Arterial.

The LRRS designates Juan Tabo Blvd. as a Community Principal Arterial.

The LRRS designates Sierra Grande Ave. as a Local Street.

### ***Comprehensive Plan Corridor Designation***

The Comprehensive Plan designates Lomas Blvd. and Juan Tabo Blvd. as Enhanced Transit Corridors. The intent of enhanced transit corridors is to provide transit service competitive with the car, and develop adjacent land uses and intensities that promote the use of transit.

### ***Trails/Bikeways***

There are no existing bicycle facilities adjacent to the subject site. However there are existing bicycle lanes along Constitution Ave. and Chelwood Park Blvd. There is also an existing bicycle route along Love Ave.

### ***Transit***

Bus Route 1 runs north / south along Juan Tabo Blvd. Bus Route 11 runs east / west along Lomas Blvd. Bus route 12 (Constitution Commuter) runs east / west along Constitution Ave.

### ***Public Facilities/Community Services***

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

### **III. ANALYSIS**

#### **APPLICABLE ORDINANCES, PLANS AND POLICIES**

##### ***Albuquerque Comprehensive Zoning Code***

The existing zoning for the subject site is R-1 (Residential) which provides suitable sites for houses and uses incidental thereto in the Established and Central Urban areas. There is an existing residential structure on the subject site that has been utilized as an Assisted Living Facility (ALF). ALF's are permissive under the existing zoning designation per Section 14-16-2-6(A)(3) of the Zoning Code (Residential Zone) which defines this use as a Community Residential Program (CRP) and states that up to 10 client residents are allowed provided that the standards of Section 14-16-3-12 of the Zoning Code (Community Residential Program Regulations) are met. This section of the Zoning Code requires the applicant to:

- 1) Obtain any applicable licenses from the State of New Mexico as well as additional approval by the Zoning Enforcement Officer (ZEO);
- 2) Provide a planned program of care that includes full-time programmatic supervision, counseling and / or therapy;
- 3) The CRP must be operated under the authority of a reputable governing board, proprietor, or government official;
- 4) The design of the facility shall be compatible with the neighborhood within which it is located including landscaping and architecture;
- 5) The health and safety of the residents will be protected by the physical structure which will be used;
- 6) The operators must have a workable, written plan for facilitating good relationships with neighboring residents and businesses including a method for recording and resolving complaints;
- 7) New CRP's must be located a minimum of 1,500 feet from any other CRP or Emergency shelter.

The proposed zoning for the subject site is O-1 (Office & Institution) which provides sites suitable for office, service, institutional, and dwelling uses. The proposed expansion of the ALF / CRP use is permissive under the proposed zoning per Section 14-16-2-15(A)(5) of the Zoning Code (Office & Institutional Zone) but allows up to 18 client residents provided that the standards of Section 14-16-3-12 of the Zoning Code (Community Residential Program Regulations) are met (see items 1 – 7 above).

Staff notes that the Zoning Code only provides standards for the maximum number of client residents that are allowed for a CRP within the R-1 and O-1 zones. The State of New Mexico licensing process is the determining factor for the permitted number of client residents within a CRP site. Additionally, the nearest existing CRP's to the subject site are Passages (Paso a Paso)

which is located approximately 2,008 feet north of the subject site, and Bellamah House that is located approximately 2,700 feet northwest of the subject site.

***Albuquerque / Bernalillo County Comprehensive Plan***

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment..” Policies cited by the applicant include:

Policy II.B.5.o.: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

***The request furthers Policy II.B.5.o. because the residential subdivision that the subject site is located within was established in the early 1960’s, and the applicant is proposing to conduct internal tenant improvement / renovations within the existing residential structure to ensure that the dwelling unit meets current regulatory standards, as well as meet any and all requirements required by the State of New Mexico for an Assisted Living facility.***

***Resolution 270-1980 (Policies for Zone Map Change Applications)***

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

***Analysis of Applicant’s Justification***

**Note:** Policy is in regular text; Applicant’s justification is in *italics*; staff’s analysis is in ***bold italics***

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*High Desert Assisted Living wants to provide the community with an Assisted Living Home within the 87112 area. Our Assisted Living Homes provide a safe, healthy environment where the elderly can live peacefully in the same community that they lived in for many years.*

***Consistency with the City’s health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from***

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*the Comprehensive Plan and other applicable plans, which the applicant has not sufficiently completed in the response to Section C. The response to Section 1.A is not sufficient.*

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*High Desert Assisted Living is asking that the zoning be changed to O-1 to allow for up to 15 beds, due to the fact that the size of the house is currently large enough for 14 beds with a remodel of the garage.*

*The applicant has not sufficiently demonstrated how the requested zone change from R-1 to O-1 will ensure stability of land use within the residential neighborhood.*

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

*The applicant has not demonstrated that the request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans. Therefore, a significant conflict may exist with regard to the Comprehensive Plan or other applicable plans.*

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

*The existing zoning of R1 only allows for up to ten residents, where a O-1 would allow for up to fifteen beds, giving the community more options for their seniors, therefore a different use category is more advantageous to the community.*

*The applicant has stated that the existing R-1 zoning designation for the subject site is inappropriate because it places limitations on the number of beds that the applicant can potentially house within the existing residential dwelling unit on the subject site. However, the applicant has not demonstrated that the requested O-1 zoning designation is more advantageous based on a preponderance of applicable policies within the Comprehensive Plan or other applicable plans related to the subject site.*

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*The applicant did not provide a response to Section 1.E.*

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:



1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

*Not applicable.*

***It appears that the requested zone change will not require any major or un-programmed capital expenditures by the City.***

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

*By the year 2050 there will be 89 million senior citizens in this country. Independent living prices are growing faster than inflation. More and more families are looking at Assisted Living Homes as an alternative for cost and comfort.*

***The test under Section 1.G. of R270-1980 is whether economic considerations pertaining to the applicant are the determining factor for a change of zone. In response to Section 1.G. the applicant has stated that the senior citizen population will increase over the next few decades and that Assisted Living Homes are cheaper options for the elderly than traditional nursing homes. However, the applicant has not demonstrated that economic considerations pertaining to the applicant are not the determining factor for the requested change of zone.***

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

*Due to its size with the garage rehabbed and increasing heated square footage, the State of NM will allow 14 people in the house with the garage rehabbed.*

***The request is for Office and Institutional zoning, however the subject site is not located on a collector or major street. Sierra Grande Ave. is a local street.***

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

***The applicant has not provided a response to Section 1.I.***

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

***The applicant has not provided a response to Section 1.J.***

#### **IV. AGENCY & NEIGHBORHOOD CONCERNS**

##### ***Reviewing Agencies***

Agencies reviewed this application from July 5, 2016 to July 20, 2016. The most significant comments were received by the Refuse Division of the Solid Waste Department who inquired as to whether there was adequate curb space for the number of refuse carts that would be needed to provide adequate service for the proposed use.

##### ***Neighborhood/Public***

The East Gateway Coalition of Neighborhood Associations along with property owners within 100 feet of the subject site were notified as required. The project was recommended for facilitation by the Office of Neighborhood Coordination, and a facilitated meeting was held on July 29, 2016. The meeting was well attended with over 40 participants present. Meeting participants voiced concern over: traffic, appearance, maintenance and operation, and the present and future impact of the proposed zone change.

Neighborhood residents stated that the majority of their concern stemmed from the increase of intensity of uses for the subject site, as well as concerns over additional permissive uses within the O-1 zone might locate on the subject site in the future if the applicant were to ever sell the property. The facilitated meeting notes also indicate that there was some discussion about changing the proposed zoning to an SU-1 Special Use designation. As of the writing of this staff report, the applicant has inquired with the Planning Department regarding the option of changing the zoning to an SU-1 designation.

In addition to the facilitated meeting, Planning Staff has also received over 50 sets of written public comments, a notarized petition with 118 separate signatures all opposing the zone change request, as well as a transcribed online interview / podcast entitled "Shoulders of Titans" dated November 2015 in which the current owner of the subject site (Dale Hensel) was interviewed about his business practices and entrepreneurial activities. All of these items were submitted for the record by a group of Monterey Manor Neighbors who state that they are opposed to the zone change because the applicant has not sufficiently justified the zone change to O-1 and that economics are the determining factor for the zone change request.

## ***V. CONCLUSION***

This is a request for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE between Lomas Blvd. and Mountain Rd. from R-1 (Residential) to O-1 (Office & Institutional) to increase the allowable maximum number of client residents from up to ten (which is the allowed maximum under the existing R-1 zoning designation) to up to eighteen (which is the allowed maximum under the requested O-1 zoning designation) for a future assisted living home on the subject site located within the Monterey Manor residential subdivision area. The applicant is currently in the process of completing tenant improvements within the residential unit on the subject site. The requested action has been deferred twice at the request of the applicant. The request was originally submitted on June 30, 2016 for the August 11, 2016 EPC public hearing, and has been deferred twice (for a total of 90 days) at the applicant's request for the stated purpose of allowing the applicant additional time to revise their R270-1980 Zone Map Amendment justification narrative.

The subject site is located within the Monterey Manor residential subdivision. There are C-2 commercial service and retail land uses located just west of the subdivision area. There are also higher density residential uses (SU-1 for PRD & R-3) south of the subdivision area.

Planning Staff concludes that the applicant has not sufficiently justified the zone change request pursuant to the requirements of R270-1980 because the applicant has not demonstrated that the request furthers a preponderance of applicable goals and policies of the Comprehensive Plan or other applicable plans. The applicant has also failed to demonstrate that the existing R-1 zoning for the subject site is inappropriate, nor demonstrated that the requested zone change is a justifiable spot zone. Planning Staff is recommending denial of the requested zone change pursuant to the findings contained within the staff report.

***FINDINGS - 16EPC-40030 - November 10, 2016 - Zone Map Amendment***

1. This is a request for a Zone Map Amendment from R-1 (Residential) to O-1 (Office and Institution) for Lot 1, Block B, Monterey Manor located on Sierra Grande Ave. NE, between Lomas Blvd. and Mountain Rd. and containing approximately .24 acres.
2. The applicant is proposing to increase the allowable maximum number of client residents from up to ten (which is the allowed maximum under the existing R-1 zoning designation) to up to eighteen (which is the allowed maximum under the requested O-1 zoning designation) for a future assisted living home on the subject site located within the Monterey Manor residential subdivision area.
3. The existing R-1 zoning for the subject site appears to have been established around the time that the subject site was annexed into the City of Albuquerque in approximately 1963 (S-1243 & S-1243-A). The subject site currently contains a residential dwelling unit that was converted into an Assisted Living Facility (which is allowed under the existing R-1 zoning designation) that operated from February 1989 until June 2014. The unit has been vacant for approximately two years.
4. The request was originally submitted on June 30, 2016 for the August 11, 2016 EPC public hearing.
5. The request has been deferred twice (for a total of 90 days) at the applicant's request for the stated purpose of allowing the applicant additional time to revise their R270-1980 Zone Map Amendment justification narrative.
6. The applicant did not submit an updated R270-1980 justification narrative by the October 28, 2016 Planning Department deadline, per the EPC 2016 Application and Hearing Schedule that was provided to the applicant on July 15, 2016.
7. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
8. The subject site is within the Established Urban Area of the Comprehensive Plan. The request furthers the following policy of the Comprehensive Plan cited by the applicant:



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Policy II.B.5.o.: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

***The request furthers Policy II.B.5.o. because the residential subdivision that the subject site is located within was established in the early 1960's, and the applicant is proposing to conduct internal tenant improvement / renovations within the existing residential structure to ensure that the dwelling unit meets current regulatory standards, as well as meet any and all requirements required by the State of New Mexico for an Assisted Living facility.***

9. The applicant has not sufficiently justified the zone change request pursuant to the requirements of R-270-1980 as follows:
  - A. Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has not sufficiently completed in the response to Section C. The response to Section 1.A is not sufficient.
  - B. The applicant has not sufficiently demonstrated how the requested zone change from R-1 to O-1 will ensure stability of land use within the residential neighborhood.
  - C. The applicant has not demonstrated that the request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans. Therefore, a significant conflict may exist with regard to the Comprehensive Plan or other applicable plans.
  - D. The applicant has stated that the existing R-1 zoning designation for the subject site is inappropriate because it places limitations on the number of beds that the applicant can potentially house within the existing residential dwelling unit on the subject site. However, the applicant has not demonstrated that the requested O-1 zoning designation is more advantageous based on a preponderance of applicable policies within the Comprehensive Plan or other applicable plans related to the subject site.
  - E. The applicant did not provide a response to Section 1.E.
  - F. It appears that the requested zone change will not require any major or un-programmed capital expenditures by the City.
  - G. The test under Section 1.G. of R270-1980 is whether economic considerations pertaining to the applicant are the determining factor for a change of zone. In response to Section 1.G. the applicant has stated that the senior citizen population will increase over the next few decades and that Assisted Living Homes are cheaper options for the elderly than traditional nursing homes. However, the applicant has not demonstrated that economic considerations pertaining to the applicant are not the determining factor for the requested change of zone.
  - H. The request is for Office and Institutional zoning, however the subject site is not located on a collector or major street. Sierra Grande Ave. is a local street.

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- I. The applicant has not provided a response to Section 1.I.
  - J. The applicant has not provided a response to Section 1.J.
10. The East Gateway Coalition of Neighborhood Associations along with property owners within 100 feet of the subject site were notified as required.
11. The project was recommended for facilitation by the Office of Neighborhood Coordination, and a facilitated meeting was held on July 29, 2016. Meeting participants voiced concern over: traffic, appearance, maintenance and operation, and the present and future impact of the proposed zone change.
12. The Planning Department has received over 50 sets of written public comments, a notarized petition with 118 separate signatures all opposing the zone change request, as well as a transcribed online interview / podcast entitled "Shoulders of Titans" dated November 2015 in which the current owner of the subject site (Dale Hensel) was interviewed about his business practices and entrepreneurial activities.
13. All written public comment was submitted for the record by a group of Monterey Manor Neighbors who state that they are opposed to the zone change because the applicant has not sufficiently justified the zone change to O-1 (Office and Institution), and that economics are the determining factor for the zone change request.

***RECOMMENDATION - 16EPC-40030 – November 10, 2016***

**DENIAL of 16EPC-40030, a request for a Zone Map Amendment from R-1 to O-1 for Lot 1, Block B, Monterey Manor, based on the preceding Findings.**

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***Vicente M. Quevedo  
Planner***

***Notice of Decision cc list:***

Carla Lee Martinez, 2500 Mariposa Parkway Ave. NE, Rio Rancho NM 87114  
Roger Hartman, 1308 Wagon Train Dr. SE, Albuquerque NM 87123  
Roger Mickelson, 1432 Catron Ave. SE Albuquerque NM 87123

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Enforcement***

Reviewed, no adverse comments.

#### ***Office of Neighborhood Coordination***

East Gateway Coalition. Recommended for facilitation on July 7, 2016. Facilitated meeting held on July 29, 2016.

#### ***Long Range Planning***

Project# 1010903

- Applicant needs to justify their request with citations of applicable Comprehensive Plan goals and policies and explanations of how the request furthers these policies.
- Keep in mind that the O-1 zone allows other numerous uses beyond assisted living facilities.

#### ***Metropolitan Redevelopment Agency***

### ***CITY ENGINEER***

#### ***Transportation Development***

Reviewed, no adverse comments.

#### ***Hydrology Development***

No comments received.

### ***DEPARTMENT of MUNICIPAL DEVELOPMENT***

#### ***Transportation Planning***

No comments received.

#### ***Traffic Engineering Operations***

No comments received.

### ***WATER UTILITY AUTHORITY***

#### ***Utility Services***

##### **ABCWUA Comment:**

1. 16EPC-40030 Zone Map Amendment (Zone Change)
  - a. Property has an existing account.

**ENVIRONMENTAL HEALTH DEPARTMENT**

No comments received.

**PARKS AND RECREATION**

**Planning and Design**

No comments received.

**Open Space Division**

No comments received.

**City Forester**

No comments received.

**POLICE DEPARTMENT/Planning**

No comments received.

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

Is there adequate curb space for the # of refuse carts needed to provide service for additional 5 units (15 total)? Minimum 5' of space is required between carts.

**FIRE DEPARTMENT/Planning**

No comments received.

**TRANSIT DEPARTMENT**

Reviewed, no adverse comments.

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

No comments received.

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed, no adverse comments.

**ALBUQUERQUE PUBLIC SCHOOLS**

No comments received.

**MID-REGION COUNCIL OF GOVERNMENTS**

No comments received.



**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

No comments received.

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

PNM has no comments based on information provided to date.

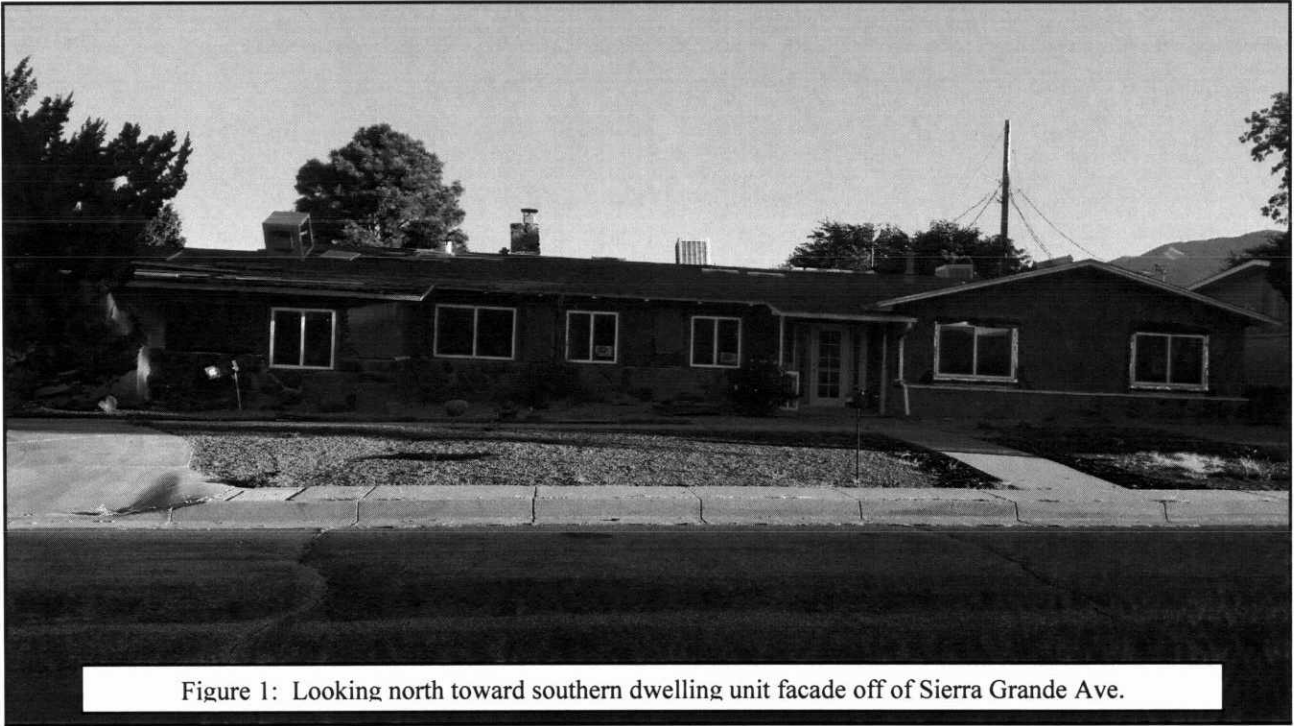


Figure 1: Looking north toward southern dwelling unit facade off of Sierra Grande Ave.

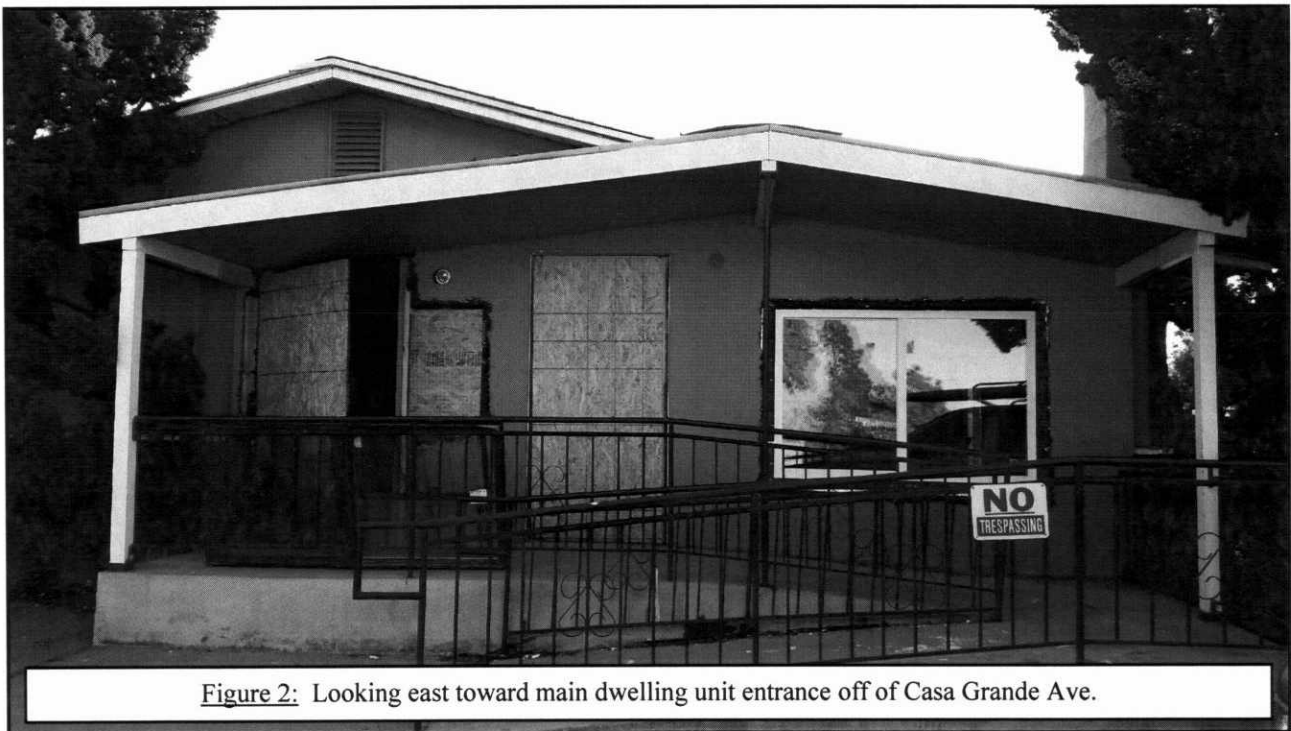


Figure 2: Looking east toward main dwelling unit entrance off of Casa Grande Ave.

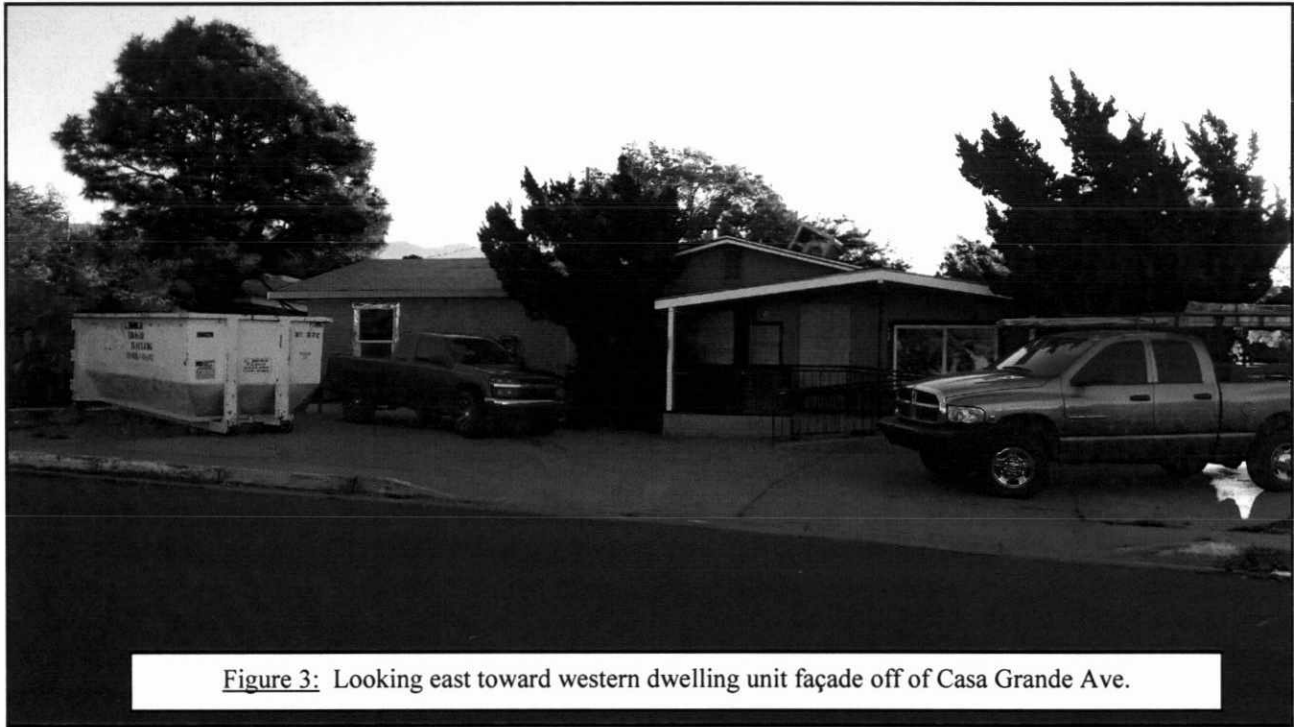


Figure 3: Looking east toward western dwelling unit façade off of Casa Grande Ave.

R-270-1980

Policies for Zone Map Change Applications

The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

(A) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

(B) Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

(C) A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

(D) The applicant must demonstrate that the existing zoning  
is inappropriate because:

(1) There was an error when the existing zone map pattern was created; or

(2) Changed neighborhood or community conditions justify the change; or

(3) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

(E) A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

(F) A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

(1) Denied due to lack of capital funds; or

(2) Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

(G) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

(H) Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

(I) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

(J) A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

(Res. 270-1980, approved 12-30-80)



## HISTORY

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

September 9, 2016

High Desert Assisted Living, LLC  
12105 Sierra Grande Ave NE  
ABQ, NM 87112

**Project# 1010903**  
16EPC-40030 Zone Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

The above action for all or a portion of Lot 1, Block B, Monterey Manor, zoned R-1 to O-1, located on Sierra Grande Ave NE, between Lomas Blvd, NE and Mountain Rd. NE, containing approximately .24 acre. (J-22)  
Staff Planner: Vicente M. Quevedo

PO Box 1293  
On September 8, 2016 the Environmental Planning Commission (EPC) voted DEFER Project #1010903/16EPC-40030, a Zone Map Amendment (Zone Change), for 60 days to the November 10, 2016 EPC public hearing based on the following findings:

Albuquerque

### FINDINGS:

- NM 87103
1. This request is for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE, between Lomas Blvd. NE and Mountain Rd. NE from R-1 (Residential Zone) to O-1 (Office & Institutional Zone).
  2. A written request for the deferral from the applicant has been included as part of the record for the case.
  3. The applicant requests a 60-day deferral to the November 10, 2016 EPC Hearing to revise the R270-1980 justification narrative for the requested zone change.

www.cabq.gov

**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the

*Albuquerque - Making History 1906-2006*

OFFICIAL NOTICE OF DECISION

Project #1010903

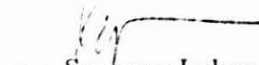
September 8, 2016

Page 2 of 2

site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan; within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,

  
Suzanne Lubar  
Planning Director

SL/VQ

cc: High Desert Assisted Living, LLC, 12105 Sierra Grande Ave NE, ABQ, NM 87112  
Jody L. Borris, 2500 Mariposa Parkway AV, NE, Rio Rancho, NM 87144  
Roger Hartman, East Gateway Coalition, 1308 Wagon Train Dr. SE, ABQ, NM 87123  
Roger Mickelson, East Gateway Coalition, 1432 Catron Av. SE, ABQ, NM 87123



## **Environmental Planning Commission**

**Agenda Number: 09**  
**Project Number: 1010903**  
**Case #: 16EPC-40030**  
**September 8, 2016**

### **Staff Report**

#### **Agent**

**Applicant** High Desert Assisted Living, LLC

**Request** Sector Development Plan Map  
Amendment (Zone Change)

**Legal  
Description** Lot 1, Block B, Monterey Manor

**Location** On Sierra Grande Ave NE, between  
Lomas Blvd, NE and Mountain Rd.  
NE

**Size** Approximately .24 acres

**Existing Zoning** R-1 (Residential)

**Proposed  
Zoning** O-1 (Office & Institutional)

#### **Staff Recommendation**

**DEFERRAL of Case # 16EPC-40030 based on  
the findings below, at the request of the applicant  
for 60 days.**

**Staff Planner**  
**Vicente M. Quevedo, Planner**

#### **Summary of Request**

This request is for a Zone Map Amendment (Zone Change) for an approximately .24 acre site located on Sierra Grande Ave NE, between Lomas Blvd, NE and Mountain Rd. NE. from R-1 (Residential Zone) to O-1 (Office & Institutional Zone).

The subject site is located within the Established Urban Area of the Comprehensive Plan, and not located within the boundaries of any Area or Sector Development Plan boundaries.

Following Planning Department comments and public comments regarding the requested change of zone, the applicant has requested a 60 day deferral to the November, 10 2016 EPC Public Hearing.

#### **Findings**

1. This request is for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE, between Lomas Blvd. NE and Mountain Rd. NE. from R-1 (Residential Zone) to O-1 (Office & Institutional Zone).
2. A written request for the deferral from the applicant has been included as part of the record for the case.
3. The applicant requests a 60-day deferral to the November 10, 2016 EPC Hearing to revise the R270-1980 justification narrative for the requested zone change.

City Departments and other interested agencies reviewed this application from 07/05/16 to 07/20/16.

## **Quevedo, Vicente M.**

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**From:** Carla Lee Martinez <carlalee@originalcare.com>  
**Sent:** Wednesday, August 24, 2016 9:16 AM  
**To:** Quevedo, Vicente M.  
**Cc:** Dale Hensel  
**Subject:** Deferral Request

Hi Vicente,

I would like to request a 60 day deferral for additional time to revise the R270-1980 justification narrative for the property on 12105 Sierra Grande Ave NE, Albuquerque, NM 87112.

Best Regards,

Carla Lee Martinez

skype: carlaleemartinez  
C. 505-470-8096

Schedule a meeting with me at [calendly.com/carlalee-martinez](https://calendly.com/carlalee-martinez)



# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

August 12, 2016

High Desert Assisted Living, LLC  
12105 Sierra Grande Ave NE  
ABQ, NM 87112

**Project# 1010903**  
16EPC-40030 Zone Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

The above action for all or a portion of Lot 1, Block B, Monterey Manor, zoned R-1 to O-1, located on Sierra Grande Ave NE, between Lomas Blvd, NE and Mountain Rd. NE, containing approximately .24 acre. (J-22)  
Staff Planner: Vicente M. Quevedo

PO Box 1293

On August 11, 2016 the Environmental Planning Commission (EPC) voted to DEFER Project #1010903/16EPC-40030, a Zone Map Amendment (Zone Change), to the September 8, 2016 hearing, based on the following findings:

Albuquerque

### FINDINGS:

NM 87103

1. This request is for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE, between Lomas Blvd. NE and Mountain Rd. NE. from R-1 (Residential Zone) to O-1 (Office & Institutional Zone).
2. A written request for the deferral from the applicant has been included as part of the record for the case.
3. The applicant requests a 30-day deferral to the September 8, 2016 EPC Hearing to allow time to address Planning Department and public comments regarding the requested change of zone.

www.cabq.gov

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **AUGUST 26, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period

OFFICIAL NOTICE OF DECISION

Project #1010903

August 11, 2016

Page 2 of 2

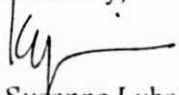
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,

  
for Suzanne Lubar  
Planning Director

SL/VQ

cc: High Desert Assisted Living, LLC, 12105 Sierra Grande Ave NE, ABQ, NM 87112  
Jody L. Borris, 2500 Mariposa Parkway AV, NE, Rio Rancho, NM 87144  
Roger Hartman, East Gateway Coalition, 1308 Wagon Train Dr. SE, ABQ, NM 87123  
Roger Mickelson, East Gateway Coalition, 1432 Catron Av. SE, ABQ, NM 87123



## **Environmental Planning Commission**

**Agenda Number: 03**  
**Project Number: 1010903**  
**Case #: 16EPC-40030**  
**August 11, 2016**

### **Staff Report**

#### **Agent**

**Applicant** High Desert Assisted Living, LLC

**Request** Sector Development Plan Map  
Amendment (Zone Change)

**Legal  
Description** Lot 1, Block B, Monterey Manor

**Location** On Sierra Grande Ave NE, between  
Lomas Blvd, NE and Mountain Rd.  
NE

**Size** Approximately .24 acres

**Existing Zoning** R-1 (Residential)

**Proposed  
Zoning** O-1 (Office & Institutional)

#### **Staff Recommendation**

**DEFERRAL of Case # 16EPC-40030 based on  
the findings below, at the request of the applicant  
for 30 days.**

**Staff Planner**  
**Vicente M. Quevedo, Planner**

#### **Summary of Request**

This request is for a Zone Map Amendment (Zone Change) for an approximately .24 acre site located on Sierra Grande Ave NE, between Lomas Blvd, NE and Mountain Rd. NE. from R-1 (Residential Zone) to O-1 (Office & Institutional Zone).

The subject site is located within the Established Urban Area of the Comprehensive Plan, and not located within the boundaries of any Area or Sector Development Plan boundaries.

Following Planning Department comments and public comments regarding the requested change of zone, the applicant has requested a 30 day deferral to the September, 8 2016 EPC Public Hearing.

#### **Findings**

1. This request is for a Zone Map Amendment for an approximately .24 acre site located on Sierra Grande Ave. NE, between Lomas Blvd. NE and Mountain Rd. NE. from R-1 (Residential Zone) to O-1 (Office & Institutional Zone).
2. A written request for the deferral from the applicant has been included as part of the record for the case.
3. The applicant requests a 30-day deferral to the September 8, 2016 EPC Hearing to allow time to address Planning Department and public comments regarding the requested change of zone.

**Quevedo, Vicente M.**

---

**From:** Jody Borris <jody@originalcare.com>  
**Sent:** Friday, July 29, 2016 12:31 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Dale Hensel  
**Subject:** Requesting 30 Day Deferral

Vicente,

At this time we, OriginalCare are formally requesting a 30 Day Deferral to address the Planning Department comments on Project 1010903, 16EPC-40030 (Zone Map Amendment). Please let us know when the September hearing is scheduled for.

Best Regards,

Jody

Jody L. Borris  
Project Manager  
Email: [jody@originalcare.com](mailto:jody@originalcare.com)  
Cell: [509-989-9209](tel:509-989-9209)





0 100 200 300 400  
FEET

LOCAL DESCRIPTION  
S. 1/4  
R. 4  
T. 15

MAP AMENDED THROUGH  
JANUARY 1, 1965

J-22



## ZONING

Refer to Section 14-16-2-6 of the Comprehensive Zoning Code for specifics regarding the R-1 Residential Zone and 14-16-2-15 for specifics regarding the O-1 Office and Institution Zone.

## APPLICATION INFORMATION



Supplemental Form (SF)

### SUBDIVISION

- ☐ Major subdivision action  
☐ Minor subdivision action  
☐ Vacation  
☐ Variance (Non-Zoning)

### SITE DEVELOPMENT PLAN

- ☐ for Subdivision  
☐ for Building Permit  
☐ Administrative Amendment (AA)  
☐ Administrative Approval (DRT, URT, etc.)  
☐ IP Master Development Plan  
☐ Cert. of Appropriateness (LUCC)

### STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

### S Z ZONING & PLANNING

- ☐ Annexation  
☒ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)  
☐ Adoption of Rank 2 or 3 Plan or similar Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations  
☐ Street Name Change (Local & Collector)  
☐ APPEAL / PROTEST of...  
 Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.  
Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

### APPLICATION INFORMATION:

Professional/Agent (if any): Jody L. Borris PHONE: 509-989-9209  
 ADDRESS: 2500 Mariposa Parkway Ave NE FAX: \_\_\_\_\_  
 CITY: Rio Rancho STATE NM ZIP 87144 E-MAIL: jody@originalcare.com  
 APPLICANT: High Desert Assisted Living, LLC PHONE: \_\_\_\_\_  
 ADDRESS: 12105 Sierra Grande Ave NE FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87112 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: OWNER List all owners: High Desert Assisted Living, LLC

DESCRIPTION OF REQUEST: Propose change zoning from R-1 to O-1

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes. ☒ No.

### SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 1 Block: B Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Monterey Manor  
 Existing Zoning: R-1 Proposed zoning: O-1 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): J-22-Z UPC Code: 10220580710803

### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z-, V-, S-, etc.): \_\_\_\_\_

### CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): .24  
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo  
 Between: Lomas Boulevard NE and Mountain Road NE  
 Check if project was previously reviewed by: Sketch Plat/Plan ☐ or Pre-application Review Team (PRT) ☒ Review Date: 6-14-2016

### SIGNATURE

Jody L. Borris DATE 6-30-2016  
 (Print Name) Jody L. Borris Applicant: ☒ Agent: ☐

### FOR OFFICIAL USE ONLY

- ☐ INTERNAL ROUTING  
☒ All checklists are complete  
☒ All fees have been collected  
☒ All case #s are assigned  
☒ AGIS copy has been sent  
☒ Case history #s are listed  
☐ Site is within 1000ft of a landfill  
☐ F.H.D.P. density bonus  
☐ F.H.D.P. fee rebate

Application case numbers

16EPC-40030

Action

ARM

S.F.

Fees

\$ 240.00

\$ 75.00

\$ 50.00

\$

\$

\$

Total

\$ 365.00

Hearing date August 11, 2016

6-30-16

Project # 1010903

Staff signature & Date

**FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS**☐ **ANNEXATION (EPC08)**

- Application for zone map amendment including those submittal requirements (see below).
  - *Annexation and establishment of zoning must be applied for simultaneously.*
  - Petition for Annexation Form and necessary attachments
  - Zone Atlas map with the entire property(ies) clearly outlined and indicated
    - NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  - Letter describing, explaining, and justifying the request
    - NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
  - Letter of authorization from the property owner if application is submitted by an agent
  - Board of County Commissioners (BCC) Notice of Decision
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

☐ **SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)☐ **SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)☐ **SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)

- Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
- Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
- Zone Atlas map with the entire plan area clearly outlined and indicated
- Letter describing, explaining, and justifying the request
- Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
- Traffic Impact Study (TIS) form (for EPC public hearing only)
- Fee for EPC final approval only (see schedule)
- List any original and/or related file numbers on the cover application

*Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

☒ **AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)**

- ☒ Zone Atlas map with the entire property clearly outlined and indicated
  - ☒ Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
  - ☒ Letter of authorization from the property owner if application is submitted by an agent
  - ☒ Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - ☒ Sign Posting Agreement form
  - ☒ Traffic Impact Study (TIS) form
  - ☒ Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

☐ **AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)**☐ **AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**

- Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  - Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan/amendment area clearly outlined
  - Letter of authorization from the property owner if application is submitted by an agent (map change only)
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
  - Traffic Impact Study (TIS) form
  - Sign Posting Agreement
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

☐ **AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)**

- Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
  - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
  - Letter describing, explaining, and justifying the request
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Jody L. Borris  
Applicant name (print)  
Jody L. Borris  
Applicant signature & Date

Revised: June 2011

- ☒ Checklists complete
  - ☒ Fees collected
  - ☒ Case #s assigned
  - ☒ Related #s listed
- Application case numbers  
16EPC - 40030

V. [Signature] 6-30-16  
Staff signature & Date  
Project # 1010903

# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Jody L. Borris DATE OF REQUEST: 06/15/2016 ZONE ATLAS PAGE(S): 1

### CURRENT:

ZONING R1  
PARCEL SIZE (AC/SQ. FT.) .24 AC

### LEGAL DESCRIPTION:

LOT OR TRACT # 1 BLOCK # B  
SUBDIVISION NAME Monterey Manor

### REQUESTED CITY ACTION(S):

ANNEXATION [ ]  
ZONE CHANGE [X]: From R-1 To O-1  
SECTOR, AREA, FAC, COMP PLAN [ ]  
AMENDMENT (Map/Text) [ ]

### SITE DEVELOPMENT PLAN:

SUBDIVISION\* [ ] AMENDMENT [ ]  
BUILDING PERMIT [ ] ACCESS PERMIT [ ]  
BUILDING PURPOSES [ ] OTHER [ ]

\*includes platting actions

### PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☒  
NEW CONSTRUCTION [ ]  
EXPANSION OF EXISTING DEVELOPMENT [ ]

### GENERAL DESCRIPTION OF ACTION:

# OF UNITS: 1  
BUILDING SIZE: 3485 (sq. ft.)

**Note:** changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE Jody L. Borris  
(To be signed upon completion of processing by the Traffic Engineer)

DATE 6-16-16

Planning Department, Development & Building Services Division, Transportation Development Section -  
2<sup>ND</sup> Floor West, 600 2<sup>nd</sup> St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO ☒ BORDERLINE [ ]

THRESHOLDS MET? YES [ ] NO ☒ MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]  
Notes:

**If a TIS is required:** a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. **Any subsequent changes to the development proposal identified above may require an update or new TIS.**

TRAFFIC ENGINEER

DATE

Required TIS **must be completed prior to applying to the EPC and/or the DRB.** Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED 1/1/  
-FINALIZED 1/1/ TRAFFIC ENGINEER DATE

Revised January 20, 2011



High Desert Assisted Living LLC  
%OriginalCare, LLC.  
2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144

June 29, 2016

Planning Department Development Services Center  
600 Second St. NW  
Albuquerque, NM 87102

Dear Planning Department Development Services Center,

This letter is to notify you of a request to change the zoning of the property at 12105 Sierra Grande Avenue N.E. Lot A, Block B in the Monterey Manor Subdivision. The property is located on the N.E. corner of the Casa Grande Ave and Sierra Grande Ave and is located in a well established neighborhood one block from Juan Tabo between Lomas Boulevard NE and Mountain Road NE.

We are requesting a Zoning change from R-1 Residential to the O-1 Office and Institution Zone. Please see as follows how our request for zoning applies to Enactment 270-1980:

**ENACTMENT 270-1980**

ADOPTING POLICIES FOR ZONE MAP CHANGE APPLICATIONS AND APPEALS OF ENVIRONMENTAL PLANNING COMMISSION DECISIONS; SUPERSEDING CITY COUNCIL RESOLUTIONS 217-1975 AND 182-1978 RELATING TO ZONE CHANGE APPLICATIONS AND APPEALS.

**WHEREAS**, the usefulness of the Comprehensive City Zoning Code in implementing the City's Comprehensive Plan and promoting health, safety, morals, and general welfare is enhanced by a reasonable flexibility in order to deal reasonably with changes in physical, economic, and sociological aspects of the city; and

**WHEREAS**, certain general policies for consideration of zone map changes and other zoning regulation changes should be recognized as determinative.

BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

**Section 1.** The following policies for deciding zone map change applications pursuant to the Comprehensive Plan are hereby adopted:

**A.** A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The general plan is Albuquerque's course of action for urban conservation and development and for environmental management. Its Statutory purpose (Section 3-19-9A) is "to guide and accomplish a coordinated, adjusted and harmonious development of the City, which will, in accordance with existing, and future needs, best promote health, safety, morals, other, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development."

OriginalCare wants to provide the community with an Assisted Living Home in the 87112 area. Currently there is not one to support the growing needs. Many of our elderly community members want to go to a place like home, that looks like home not a facility. Our Assisted Living Homes provide a safe, healthy environment where our elderly can live peacefully in the same community that they lived in in many cases.

**B.** Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

The High Desert Assisted LLC. purchased the home in December of 2015 to rehab the home and return it to an Assisted Living Facility. The subject property was an Assisted Living Facility called Sierra Grande Manor and is currently zoned R1 for Residential Zone that allows for up to ten client residents, provided that the standards of § 14-16-3-12 of the Zoning Code are met. We are asking that this home be changed to a O-1 to allow for up to fifteen (15) beds, due to the fact that the size of the house is currently large enough for fourteen (14) beds, with a remodel of the garage. Remodeling the garage brings the heated space of the house to

3644 sq ft. Since there are no other Assisted Living Homes in this Zip Code, the additional beds would allow more

residents in the area an opportunity when the time comes.

**C.** A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The home in question is in the Monterey Manor Subdivision and was previously ran as an Assisted Living Home and is not in any conflict with any adopted elements or privately developed area plans.; Thoroughfare Plan (1950, revised 1965 as the Major Street and Highway Plan), 1985 Land Use Plan (1962), Master Plan for Water Supply for Albuquerque and Environs (1963), Parks and Recreation Master Plan (1964), Master Plan for Sanitary Sewers and Sewage Treatment Works (1964), Plan for Electric Service (1971) and Guidelines for Public Systems West of the Rio Grande (1974).

**D.** The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or - Not true
2. Changed neighborhood or community conditions justify the change; or Not True
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The proposed zoning change is to allow OriginalCare LLC. to take the home from a ten bed to a fifteen bed facility. Currently this home is the only Assisted Living home of its type in the 87112 Zip Code. The existing zoning of R1 only allows for up to ten residents, where a O-1 would allow for up to fifteen beds, giving the community more options for their seniors, therefore a different use category is more advantageous to the community. The additional beds allow OriginalCare to provide the Monterey and neighboring subdivisions a safe home environment to send family members when the time comes.

**E.** A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

**F.** A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or

Not Applicable

2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

Not Applicable

**G.** The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Genworth Financial has released its long-term care 2016 Cost of Care survey, revealing that the median cost of living in a private room in an assisted living community in the United States is \$43,200 compared to \$91,250 for a private room in a nursing home. Over the course of the next 20 years, approximately 10,000 people will reach age 65 in the United States every day. By the year 2050, there will be 89 million senior citizens in this country. Independent Living prices are growing faster than inflation. The mean monthly rent for an independent living community increased 8.3% from 2011-2014, while inflation only increased 5% over the same period. This means that the demand for assisted living is going up along with the prices. More and more families are looking at Assisted Living Homes as an alternative for cost and comfort. Assisted Living Homes are \$1000.00 a month cheaper on average than other options.

**H.** Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The home happens to be on a corner, however that is not the reason we have purchased this home and want to rehab and rezone it. The subject property was an Assisted Living Facility called Sierra Grande Manor and is currently zoned R1 for Residential Zone that allows for up to ten client residents. Due to its size with the garage rehabbed increasing the heated space to 3644 sq. ft. we are looking to rezone it to a O-1 Office and Institution Zone. Based on sq. ft. the State of NM allow 14 people in the house with the garage rehabbed.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

## **5. DEVELOPING AND ESTABLISHED URBAN AREAS**

### Policy o

Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened. Possible Techniques

4) Address all facets of neighborhood economic development including business development, job creation, historic preservation, and commercial revitalization within a neighborhood context with a strong emphasis on citizen participation.

OriginalCare is restoring/rehabbing the home to ensure the neighborhood sees the benefit of higher home prices and an increased pride in their neighborhood. The Assisted Living Home will provide job creations in the community.

2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Not Applicable

J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

Not Applicable

2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Not Applicable

Once the rehab of the home is complete the neighborhood and community will benefit from increased property values and local jobs. The home will be rehabbed to a like- new home that will look just like other homes in the neighborhood. The home will have 24/7 support caregivers working at the facility that will provide a home like environment for seniors.

OriginalCare is committed to enriching the daily lives of our senior residents by providing an environment that stimulates them physically, mentally and emotionally. OriginalCare inspires its employees to be the best they can be promoting fun, dignity and kindness. We will engage in sustainable practices and anticipate the needs of residents, vendors and partners. We will closely with the business community to build trust and charity.

Best regards,

Jody L. Borris  
Project Manager  
OriginalCare LLC.  
2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144  
Phone: 509-989-9209  
jody@orginalcare.com



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NOTIFICATION &  
NEIGHBORHOOD INFORMATION



## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

June 15, 2016

Jody L. Borris  
Original Care, LLC  
2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144  
Phone: 509-989-9209  
E-mail: jody.originalcare.com

Dear Jody:

Thank you for your inquiry of **June 15, 2016** requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) LOT A, BLOCK B, MONTEREY MANOR, LOCATED ON 12105 SIERRA GRANDE AVENUE NE, BETWEEN LOMAS BOULEVARD NE AND MOUNTAIN ROAD NE** zone map **J-22**.

Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this submittal and the contact names are as follows:

### No Neighborhood and/or Homeowner Associations

#### EAST GATEWAY COALITION

Roger Hartman, 1308 Wagon Train Dr. SE/87123 296-7924 (h)  
Roger Mickelson, 1432 Catron Ave. SE/87123 332-9273 (h)

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing (**PLEASE ATTACH: 1) Copy of this letter; 2) Copy of letters sent to NA/HOA's and 3) Copy of White Receipts showing proof that you sent certified mail w/stamp from USPS showing date.**) If you have any questions about the information provided please contact me at (505) 924-3914 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov) or by fax at (505) 924-3460.

Sincerely,  
**Stephani Winklepleck**  
*Stephani Winklepleck*  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**PLEASE NOTE:** The NA/HOA information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office.

**LETTERS MUST BE SENT TO  
BOTH CONTACTS OF EACH  
NA/HOA FOR THIS PLANNING  
SUBMITTAL.**

High Desert Assisted Living LLC  
%OriginalCare, LLC.  
2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144

June 22, 2016

Mr. Roger Mickelson of East Gateway Coalition  
1432 Catron Ave SE  
Albuquerque, NM 87123

Dear Roger,

This letter is to notify you of a request to change the zoning of the property at 12105 Sierra Grande Avenue N.E. Lot A, Block B in the Monterey Manor Subdivision. The property is located on the N.E. corner of the Casa Grande Ave and Sierra Grande Ave and is located in a well established neighborhood one block from Juan Tabo between Lomas Boulevard NE and Mountain Road NE.

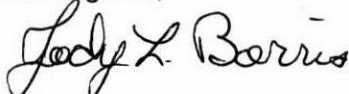
The High Desert Assisted LLC. purchased the home in December of 2015 to rehab the home and return it to an Assisted Living Facility. The subject property was an Assisted Living Facility called Sierra Grande Manor and is currently zoned R1 for Residential Zone that allows for up to ten client residents, provided that the standards of § 14-16-3-12 of the Zoning Code are met. We are requesting a Zoning change from R-1 Residential to the O-1 Office and Institution Zone.

The proposed zoning change is to allow OriginalCare LLC. to take the home from a ten bed to a fifteen bed facility. This allows OriginalCare to provide the Monterey and neighboring subdivisions a safe home environment to send family members when the time comes.

For questions, concerns and input please contact Jody Borris:

2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144  
Phone: 509-989-9209  
jody@orginalcare.com

Best regards,



Jody L. Borris

Project Manager  
OriginalCare LLC.

High Desert Assisted Living LLC  
%OriginalCare, LLC.  
2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144

June 22, 2016

Mr. Roger Hartman of East Gateway Coalition  
1308 Wagon Train Dr. SE  
Albuquerque, NM 87123

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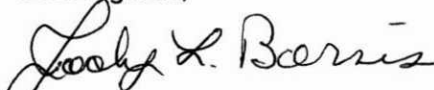
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For questions, concerns and input please contact Jody Borris:

2500 Mariposa Parkway Ave. NE  
Rio Rancho, NM 87144  
Phone: 509-989-9209  
jody@orginalcare.com

Best regards,



Jody L. Borris

Project Manager  
OriginalCare LLC.

7016 0910 0001 2839 2771

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
ALBUQUERQUE, NM 87123	
Certified Mail Fee	\$3.30
Extra Services & Fees (check box, add fee as appropriate)	\$2.70
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.47
Total Postage and Fees	\$6.47
	
Sent To: Mr. Roger Michelson of Gateway Coal Street and Apt. No., or PO Box No.: 1432 (attn) Ave SE City, State, ZIP+4®: Albuquerque, NM 87123	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7016 0910 0001 2839 2788

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For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
ALBUQUERQUE, NM 87123	
Certified Mail Fee	\$3.30
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.47
Total Postage and Fees	\$3.77
	
Sent To: Mr. Roger Hartman of Gateway Coal Street and Apt. No., or PO Box No.: 1308 Wagon Train Dr SE City, State, ZIP+4®: Albuquerque, NM 87123	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
PROPERTY OWNERSHIP LIST**

**Hearing Date:** Thursday, August 11, 2016 1010903

**Zone Atlas Page:** J-22-Z

**Notification Radius:** Neighborhood Associations  
100ft plus r.o.w

**Cross Reference and Location:** Juan Tabo between Lomas Blvd & Mountain Rd SE

**Applicant:** High Desert Assisted Living, LLC  
12105 Sierra Grande Av NE  
ABQ, NM 87199

**Agent:** Jody L. Borris  
2500 Mariposa Parkway NE  
Rio Ranch, NM 87144

**Special Instructions:**

**Notice must be mailed from the  
City's 15 day's prior to the meeting.**

**Date Mailed:** 7-20-16

**Signature:** 



1010903



#### Legend

- ☐ Bernalillo County Parcels
- Municipal Limits**
  - ☒ Corrales
  - ☒ Edgewood
  - ☒ Los Ranchos
  - ☒ Rio Rancho
  - ☒ Tijeras
  - ☐ UNINCORPORATED
- ☐ World Street Map

#### Notes

160 foot buffer

0.0 0 0.01 0.0 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
7/11/2016 © City of Albuquerque

This map is a user generated static output from [www.cabq.gov/gis](http://www.cabq.gov/gis) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES

MILLER JEFF R & CYNTHIA Y  
12208 CASA GRANDE AVE NE  
ALBUQUERQUE NM 87112-5808

RUSSELL BETTY JEAN & WILFRED  
FORREST REVOCABLE LIVING TRUST  
12204 CASA GRANDE AVE NE  
ALBUQUERQUE NM 87112-5808

DEY R EDWARD  
12209 LOYOLA AVE NE  
ALBUQUERQUE NM 87112-5820

BONNEY CAROL V & MAXFIELD MARY  
JANE  
12100 SIERRA GRANDE AVE NE  
ALBUQUERQUE NM 87112

SANCHEZ GINA  
12200 SIERRA GRANDE NE  
ALBUQUERQUE NM 87112

BARRERA RICARDO D  
1001 CASA GRANDE PL NE  
ALBUQUERQUE NM 87112-5815

GOATCHER FAMILY LTD CO  
2511 MONROE NE  
ALBUQUERQUE NM 87110

MOORE JUDITH MAE TRUSTEE MAE  
MOORE TRUST  
1005 CASA GRANDE PL NE  
ALBUQUERQUE NM 87112-5815

MILLER WILLIAM K  
12205 LOYOLA AVE NE  
ALBUQUERQUE NM 87112

ROYBAL & BONIFACIO & ANITA M  
12112 SIERRA GRANDE AVE NE  
ALBUQUERQUE NM 87112-5835

G P INVESTMENTS LIMITED PRTSHP  
5500 LUNA DEL ORO CT NE  
ALBUQUERQUE NM 87111

TILLEY SEIBERT RAY TRUSTEE TILLEY RVT  
12212 CASA GRANDE AVE NE  
ALBUQUERQUE NM 87112

COX VICTORIA GRACE & SHAUN PATRICK  
12108 SIERRA GRANDE AVE NE  
ALBUQUERQUE NM 87112

STRUCK CHARLES E & ELAINE M  
12109 SIERRA GRANDE AVE NE  
ALBUQUERQUE NM 87112-5834

HIGH DESERT ASSISTED LIVING LLC  
2500 MARIPOSA PARKWAY AVE NE  
SUITE 202  
RIO RANCHO NM 87144

MARTINEZ LYNDA M  
12104 SIERRA GRANDE NE  
ALBUQUERQUE NM 87112

WINTER JAMES M & EMMA JEAN  
1004 CASA GRANDE PL NE  
ALBUQUERQUE NM 87112-5815

# **FACILITATED MEETING REPORT AMENDMENTS**

## **Project 1010903 16EPC-40030**

**Date Submitted:** 1 August 2016  
**Original Submission:** 29 July 2016  
**Submitted By:** Philip Crump  
**Facilitator:** Philip Crump  
**Co-facilitator:** Kathleen Oweegon  
**Meeting Date and Time:** 26 July 2016 3-5pm [Incorrectly identified as 29 July]

### **Areas of Agreement**

The report stated--

“If the R-1 SU designation is not possible, the applicant agreed to a condition of O-1 zoning, that the property would revert to R-1 if the property were no longer to be used for assisted living.”

Delete this statement; there were no agreements regarding the change of zoning.

### **6. Business model**

The report stated--

*c. Why did you move here?*

1. The applicant said the neighborhood is quiet, a little oasis, with unique homes; no two houses look the same. He said that someone suggested it and he likes the neighborhood.

Modify to read—

1. A neighbor said the neighborhood is quiet, a little oasis, with unique homes; no two houses look the same.
2. The applicant said that someone suggested it and he likes the neighborhood.

# **CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM**

## **PROJECT MEETING REPORT**

**Project #:** 1010903 16 EPC - 40030  
**Property Location:** 12105 Sierra Grande Ave.  
**Date Submitted:** 28 July 2016  
**Submitted By:** Philip Crump

**Meeting Date/Time:** July 29, 2016  
**Meeting Location:** Monterey Baptist Church, 12501 Lomas Blvd NE  
**Facilitator:** Philip Crump  
**Co-facilitator:** Kathleen Oweegon  
**Parties:**

Applicant: High Desert Assisted Living/OriginalCare

Dale Hensel Jody Borris Elizabeth Harned

Dan Lockyear Carla Lee

Neighbors: Individual names can be found at the end of this report.

### **Background/Meeting Summary:**

The meeting to address the proposed zone change was held at Monterey Baptist Church, close to the site and in the neighborhood under consideration. The property under consideration is a residence that has been used previously as an assisted living facility with a capacity of 10 residents. The applicant wishes to increase the number of beds from 10 to 15 with a zone change from R-1 to O-1. The current R-1 zoning will not allow more than 10 beds.

Over 40 people—neighbors and applicant staff—attended the meeting. In the two-hour meeting, the neighbors posed a wide variety of questions, regarding such items as traffic, appearance, maintenance and operation, and especially the present and future impact of the proposed zone change. The tone of the meeting was generally civil, characterized by vigorous conversation between the applicant and the neighbors.

While some of the attendees understood the need for and operation of the proposed facility, it was quite evident that the neighbors were overwhelmingly opposed to the zone change. Some said that they wish the property would revert to a single-family residence.

### **Outcome:**

#### **Areas of Agreement:**

Applicant and neighbors agreed that retaining the R-1 zoning would be preferable to changing it to O-1, though the neighbors did not agree with a Special Use designation to allow an increase to 15 beds.

If the R-1 SU designation is not possible, the applicant agreed to a condition of O-1 zoning, that the property would revert to R-1 if the property were no longer to be used for assisted living.

The applicant agreed with the neighbors that the house should harmonize with the neighborhood and said that it would conform as much as possible to the covenants.

#### **Unresolved Issues, Interests and Concerns:**

The primary concern—rezoning to O-1 and subsequent increase to 15 beds—remained unresolved.

**Meeting Specifics: (NOTE: Neighbor questions and comments in Italics)**

**1. Applicant Presentation (Dale Hensel)**

- a. About the company—
  - i. OriginalCare is a management company with multiple assisted living facilities – mostly group homes, not institutions
    - 1. Taking care of people who can't take care of themselves – feeding, bed, medications, and personal care needs
    - 2. A big concern of the company is to do the work with compassion & concern
- b. Zoning change application—
  - i. The City suggested this zoning change – from R-1 to O-1; there might have been other options for zone, but this will work
    - 1. O-1: The City recommended this. Jody took their advice – there may be solutions in the future for this concern.
    - 2. O-1 zoning is Office And Institution Zone (§ 14-16-2-15)
  - ii. Rationale:
    - 1. Originally the building was licensed for 7 residents but could go to 10 beds
    - 2. The architect looked at the floor plan and found it inefficient
      - a. The architect said that 14 is best for the layout, so a zone change is needed; R-1 doesn't allow for more than 10 beds
        - i. Even if we wanted one additional room, it wouldn't qualify
      - b. Took the plan to the State and the State said ok
- c. The house—
  - i. The company is investing \$200-\$250K in this house
  - ii. The Contractor (Rodeo Construction) has done a number of house rehabilitations.
    - 1. They are currently cleaning out & doing demolition – look for “bones” of the house (ex: plumbing and electrical) to see what needs to be done
    - 2. The goal is to build to the floor plan that the state & health department approved
- d. Other issues previously noted by neighbors—
  - i. Traffic and parking
    - 1. Unfortunately, many people don't come to visit residents in these kinds of facilities, so there is not much traffic
    - 2. Parking is enough for needed parking for 2 staff at time; we may add a pad for 3<sup>rd</sup> car
  - ii. Noise concerns--Unsure what noise concerns are
  - iii. Bad neighbors
    - 1. Unsure what this refers to; please explain this as we want to address anything like this
  - iv. Poor work on property
    - 1. We're taking the house apart to see what need upgrade or repair. If there is poor work, please call me on my personal cell – (972) 948- 5767.
  - v. Disrespectful employees



1. Please tell me who, as they are not representative of our company if they're being disrespectful; we would like to get that addressed and/or mediated

## 2. Traffic and parking

### a. Area traffic is heavy

- i. A neighbor reports that he sees all kinds of traffic – 3 entrances and exits in the neighborhood. *People avoid lights and zip through neighborhood –especially on the 2 Grande streets*
- ii. *This corner is the worst place for a facility like this because of this. Cars going every direction all the time*

1. Another neighbor said that school or sporting events multiply the traffic problem

### b. Parking

- i. One attendee noted that parking for a business is generally greater than for a residence
- ii. On holidays and weekends, they have seen cars lined up even before, when it was only 7 beds, of people visiting residents.

## 3. Zone change

### a. Change from R-1 to O-1 was suggested by the City

- i. R-1 allows up to 10 beds in assisted living
  1. Analysis indicated that up to 15 could be accommodated in the house

### b. Prior history

- i. Neighbors reported that they were not notified in advance of the development of the previous assisted living home in the first place
  1. *We want you to understand that we do have concerns. I'm actually against the entire idea of this home to be assisted living.*

### c. Concerns arose about the future if O-1 is granted

- i. *We have nothing against facility – we are afraid of the O-1 option and unknown consequences.*
- ii. Some said that it would make the neighborhood more attractive to other businesses; *You let one in and it'll be steamrolled*
- iii. Several people expressed the thought that property values would decrease
  1. *We've seen our homes be devalued. Low income is around us. We're this little pocket of custom-built homes. Some are in disrepair, but we want our homes to appreciate, not depreciate in value.*
  2. The applicant suggested that the renovated house should not change either the neighborhood or property values
- iv. Some thought that the zoning would apply to the whole neighborhood
  1. It was pointed out that the zone change applied only to this parcel
  2. Experience with other properties aroused fears
    - a. The previous owner said that there would be 5 beds maximum; 10 beds were installed
- v. Neighbors said they would be okay with keeping the existing zoning
  1. *Fix it up and we'll be happy. It looks terrible now ... We don't have a*

*problem with it as it is. We don't want to go from R-1 to O-1—period.*

2. At another point, many neighbors indicated they would prefer not to have an assisted living home there at all
3. *When people buy a home they buy a neighborhood. I am adamantly opposed to changing the zone. It isn't necessary.*

vi. *How can you begin construction without approved zoning? I feel like there must be something hidden, suspect.*

1. The applicant said that there are a couple of phases. First to clear out the building to see what's there. Then see what needs to be done before moving forward. Even if they can't get this change, they can still do a 10-bed facility, so the work is still pertinent.

vii. *What if future owners neglect the property?*

1. The applicant said he cannot take responsibility for what happens in the future.

d. Options to address neighborhood fears

- i. The applicant said that he understands the concerns about the zone change
- ii. He said that he will place a condition on the property so that it would revert to R-1 if it should ever stop being assisted living, even though it may restrict the value of the property somewhat
- iii. *We understand it won't change look of neighborhood if O-1 is granted, but we still want assurances that are binding*
- iv. He will speak with the City about seeking R-1 Special Use rather than O-1

#### 4. Neighborhood character and covenants

a. Monterey Manor Subdivision, developed in early 1960s, consists of 131 homes – single & multiple-family & seniors

- i. *Are you aware that there are established covenants in this neighborhood? Your home is outside of the covenants. Any home north of Sierra Grande is to be 100% stone, 100% rock or wood. There are 2 homes in breach of covenants.*
- ii. *The covenants say everything south of Sierra Grande is acceptable to be stucco or 50% rock, wood or brick.*

1. The agent reported that she searched for the covenants but was unable to find them

2. The applicant indicated that they would honor the covenants

b. Enforcement of covenants

- i. The question arose as to enforcement of covenants. One person noted that neighborhood covenants are self-reliant; they are enforced by the neighbors
- ii. *What is our remedy if you violate your suggested covenant? The recourse we would have would be too prohibitive.*

1. There was no direct response to this question

c. Applicant summary

- i. "I get that O-1 is the biggest concern. Let me look for other options. I had originally wanted R-1 with Special Use which will automatically limit the use for just this purpose. If the purpose changes, it will auto-revert to R-1. I still want 14 residents. I get that the look needs to be consistent with the rest of the neighborhood."

## 5. Renovation of the house

### a. Changes

- i. A neighbor asked whether space would be added to the existing structure.
  - 1. The applicant noted that the garage is being converted to storage space but that no additional rooms would be added.
    - a. In response to a statement that the garage has to stay per covenants, he said it will be used for storage and that if the garage door needs to stay so as not to change the look, it will remain.
- ii. The house must be brought up to code—both fire and building codes and health and safety regulations
  - 1. The house will be ADA compliant
  - 2. There will be a fire suppression system and alarm system
    - a. The applicant noted stringent State-level standards for the house
- iii. A neighbor asked whether they could walk through the house when the work was completed. The applicant indicated that they could do so

### b. Workmanship

- i. *There are issues of trash from that particular home; the next door neighbor has to clean up yard regularly from trash from facility*
  - 1. The applicant said he'd have someone check for trash daily; this drew a positive response from the audience
- ii. When the tree was cut down, proper care was not taken and the electricity was cut off
  - 1. The applicant said he was aware of that and that the person is no longer working there
- iii. The applicant said that he would respond to complaints about construction and step in and oversee the work if necessary
- iv. Concerns about a worker sitting in his car and blue van in the driveway were answered by the applicant
  - 1. A worker was sitting in his car waiting for an inspection
  - 2. The blue van belonged to the person who cut down the tree and was fired
  - 3. The applicant asked that if there were any problems, neighbors should contact him

## 6. Business model

### a. *What's your track record and how many places do you operate in town?*

- i. Applicant said he's been entrepreneur for 16 years.
  - 1. He started a publicly-held company, sold it and retired for a while. but came out of retirement because he wanted to do something new. He saw a serious lack of housing and quality care for elders.
- ii. They have another assisted living house at 9215 Layton – licensed for 15 beds. He invited neighbors to go look at it to see the traffic, how it operates, etc....and see how well it fits in neighborhood.
- iii. There is another on Gutierrez which is currently being upgraded

### b. *Is it your business model to go after a zone change for an increase in number of beds?*

- i. The applicant said they never have done this before; previous homes didn't fit for

more than 10 beds.

**c. *Why did you move here?***

- i. The applicant said the neighborhood is quiet, a little oasis, with unique homes; no two houses look the same. He said that someone suggested it and he likes the neighborhood.

**d. *There's any empty lot nearby – buy it and build a 15-story facility.***

- i. Applicant: That's not what I do. I do neighborhood homes that families want to come and visit, and are the most humane way of providing assisted living. We try to make them as homey as possible to look like the rest of the neighborhood, not look commercial. This appeals to people who want elders in home, not institution.
- ii. And attendee said the best assisted living facilities are in neighborhood homes, giving better care. She said neighbors can establish a relationship with these residents. And she doesn't want 15, but 10 would be okay.

**e. *Would you put your mother there?***

- i. The applicant said, "Yes"

**7. Operation**

**a. *With 10-14 residents, how often would EMTs be called to property on average? They can block egress from the neighborhood***

- i. The applicant said they don't have that many EMT visits; they do have many DNRs [Do Not Resuscitate], so EMTs don't come in.

**b. *What is the mental function of your residents?***

- i. The applicant said that it depends; often it's a matter of mobility, not cognitive status. Their homes have magnetically controlled doors, so they don't have wanderers. They have a backyard, but most of the residents are sedentary.

**c. *Help us to feel safe in our Neighborhood; we don't want to run over residents. Will occupants be allowed outside without escort?***

- i. The applicant said the residents would go into the back yard

**d. *What about sanitation, biohazards, disposal, soiled garments, bad odors for immediate neighbors. Is ramp ADA compliant? Bring the property up to respectable level to keep property values.***

- i. The applicant noted that in order to get a certificate of occupancy and subsequent licensure, they have to jump through many hoops.
- ii. He said that there are 4 levels of care designated by the Healthcare Code. Neighbors can look up what kinds of requirements there are for each.

- 1. A neighbor said that this is assisted living, not skilled nursing, which has RNs, LPNs, etc.

**e. *When I go to your website, I think you said there is only 1 staff-person in attendance to 15 residents, but your website talks about beauticians, nurses, and van for transportation, etc. What are you going to do for parking for them?***

- i. The applicant said that while the State requires 1 person for 15 residents, they usually have 2 for better care
- ii. He said that the van is contracted. The other providers listed are contractors that come once in a while with permission from families to provide services as needed.

**8. Action Items:**

The applicant will discuss with the City the possibility of R-1 SU zoning rather than O-1

## 9. ZHE Application Hearing Details:

Hearing Scheduled for **Thursday, August 11, 2016**

### Hearing Details:

The Office of the Zoning Hearing Examiner conducts monthly quasi-judicial PUBLIC HEARINGS regarding Special Exceptions to the Zoning Code (Please refer to Section 14.16.4.2 of the Comprehensive City Zoning Code)

There are certain criteria that applicants must meet in order to obtain an approval of decision for their special exception request.

### Hearing Process:

Comments from facilitated meetings will go into a report which goes to the Hearing Examiner, Chris Graeser.

All interested parties may appear at the hearing and voice their opinions or submit written comments prior to the day of public hearing.

The Zoning Hearing Examiner will render a determination of approval, approval with conditions, or denial within 15 days after the close of the public hearing

The determination can be appealed to the Board of Appeals

Any further questions or comments can be referred to:

Vicente M. Quevedo, Urban Design and Development Planner  
City of Albuquerque, Planning Department  
924-3357 fax 924-3339 [vquevedo@cabq.gov](mailto:vquevedo@cabq.gov)

or

Angel Vallejos, ZHE Administrative Asst. 924-3894 [avallejos@cabq.gov](mailto:avallejos@cabq.gov)

or

Lorena Patten-Quintana, ZHE Staff Planner 924-3940 [lpatten-quintana@cabq.gov](mailto:lpatten-quintana@cabq.gov)

### Neighborhood Attendees:

Charlene Henderson	Daniel Yoder
Cindy Miller	David & Shonna Sanders
David Barham	Debra Erekson
Dell & Pam Hamilton	Don Martindell
Gemma & Russell Morris	Jeff Miller
Jeffrey Wade	Jerry Sena
Kent & Vicki Klammer	John & Sally Harrer
Leonor Anderson	Kay & Ken Blemel
Maria Baecker	Nancy & Karen Anderson
Sammy T Maes	Pat Carnahan
Tommy & Martha Donham	Percy & Ann Larranaga
Aileen Gatterman	Ray Tilley
Al Lanting	Shani Parks
Bob & Maria Marquez	Steve & Cindy Moya
Corinne Wildau	Wayne Cook

**Quevedo, Vicente M.**

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**From:** vikigrace . <vikicox@gmail.com>  
**Sent:** Wednesday, July 06, 2016 9:28 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Fwd: Rezoning

Vincente,

Below is an email I wrote to some neighbors. Rather than rewrite another letter to you, I'm forwarding it.

=====

My opinion is probably in the minority. I welcome the rezoning and an assisted living facility in our neighborhood. It is located at the entrance to the neighborhood and the small increase in traffic would have a minimal impact. As long as we can get our cars out of the driveway, I'm fine with people parking on the street in front of my home especially since the street isn't mine to begin with.

Our seniors need more places to be taken care of because many families are either unable or unwilling to take care of their elderly. I think we would all agree that it is important to honor the elderly. By rejecting an assisted living facility in our community, it would seem to be saying let's honor the elderly but not in our backyard.

An assisted living facility in our community would be an opportunity to serve some place close to our homes. If the facility does come into our neighborhood, I hope that the neighbors will take the time to visit with the elderly there and maybe even take some time to help out in some way.

Viki Cox  
12108 Grand Avenue NE



**Quevedo, Vicente M.**

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**From:** Tommy D Donham <tdonham@juno.com>  
**Sent:** Thursday, July 07, 2016 12:17 PM  
**To:** Quevedo, Vicente M.  
**Subject:** 12105 Sierra Grande NE

To: Vincente M Quevedo, Planning Department

I am writing in regard to the request to change the zoning designation for the property at 12105 Sierra Grande NE from R-1 to O-1. I am giving my reasons for objecting to this change and I am asking for the sake of the neighborhood you will reject the request for the change:

1. The intersection of Sierra Grande NE and Casa Grande NE is a very busy intersection. There are only 3 entrances/exits from this subdivision of many homes and Sierra Grande is the busiest as it comes directly off Juan Tabo. In addition to the traffic by the home owners coming and going, many other people use Sierra Grande and Casa Grande as a bypass route to miss the lights at Juan Tabo and Lomas. During the school year the students at Manzano High School use the neighborhood streets when going to and from school.
2. When 12105 Sierra Grande NE was used as a 10 bed facility the parking around the facility became heavy with the workers vehicles and the people visiting the in-patients. This parking was right at the busy intersection of Sierra Grande and Casa Grande which caused a traffic jam at times. The visitors to the facility that found room on the driveway to park then had to either back out onto Sierra Grande or Casa Grande which is busy with traffic especially at times.
3. The resident patients could also be in danger when they leave the home. Let me give you one example. There was a lady resident there that was in a power wheel chair. She would go down to the shopping strip right there by the home which caused her to cross the street. The lady's head was so stopped over she would have been unable to see very far for the traffic. The owners of the homes in the area were aware of her so they used caution coming to that intersection. High school students and others using the streets would not have been aware of this lady. I personally had to come to a stop once in a while to let the lady cross the street.
4. The location of 12105 Sierra Grande NE could not be in a worse spot for a facility that brings considerable traffic. Going from a 10 bed unit to a 15 bed unit or some other commercial use will cause traffic that is totally unacceptable. The home should never have been changed from a one family dwelling place due to its location with very limited parking space.

We respectfully request you deny the request to make the facility a 15 bed unit for the sake of the neighborhood.

Tommy and Martha Donham  
1012 Casa Grande Pl. NE  
505-299-0028  
[tdonham@juno.com](mailto:tdonham@juno.com)

**Quevedo, Vicente M.**

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**From:** NED KELTNER <keltner\_42@msn.com>  
**Sent:** Thursday, July 07, 2016 10:27 PM  
**To:** Quevedo, Vicente M.  
**Cc:** golfncindy5@gmail.com  
**Subject:** 12105 Sierra Grande - Rezoning

Mr. Quevedo

We have lived in this neighborhood for along time.  
Having 15 residents plus staff is an enormous number for that size dwelling.  
They are basically warehousing senior citizens.  
We are opposed to the rezoning request.

Rezoning will immediately damage the value of adjacent properties.  
It will create uncertainty about zoning creep, which will damage the neighbor hood.

Sincerely,

Ned and Terrie Keltner  
12605 Loyola Ave NE

Sent from my iPad

**Quevedo, Vicente M.**

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**From:** Ray Tilley <caribcruzer@hotmail.com>  
**Sent:** Sunday, July 10, 2016 5:05 PM  
**To:** Quevedo, Vicente M.

My name is Ray Tilley. I live three houses from the property at 12105 Sierra Grande Ave NE. I am against rezoning said property.

Ray Tilley

**Quevedo, Vicente M.**

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**From:** Joe Alarid <joe.alarid@gmail.com>  
**Sent:** Tuesday, July 12, 2016 1:50 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Rezoning of property at 12105

To Whom It May Concern

I (Joe Alarid) and wife Cindy Gutierrez reside at 12304 Sierra Grande Ave. We oppose the rezoning of set property because it will create more traffic and congestion. We already experienced having 10 people living at this address with all the traffic and congestion. The only place for people to park if visiting a family member is on the street, creating congestion.

There is already a facility located on Lomas that can care for All these people that need a place to stay.

The people who live in this area are against the rezoning of 12105, so PLEASE vote NO to the rezoning of this property.

Thank You,  
Joe Alarid

**Quevedo, Vicente M.**

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**From:** Gemma Morris <morris.gemma@gmail.com>  
**Sent:** Tuesday, July 12, 2016 2:58 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Opposition to Zone change from R-1 to O-1 for 12105 Sierra Grande NE 87112  
**Attachments:** Zoning letter.docx

Vicente,

Thank you for your care and consideration in this important neighborhood matter.  
I have attached my letter to you to hopefully be presented to the Environmental Planning Commission for the August 11th meeting.

Thank you,

Gemma Morris

Draft to Vicente Quevedo

My husband, Russell and I, have lived in this neighborhood for 33 years and purchased our home to be in a quiet, residential area with nice quality homes.

We are extremely dis pleased that a zoning request from R-1 to O-1 is being considered for the property at 12105 Sierra Grande for up to a 15 bed assisted living facility. This will not only bring in much more traffic with limited parking space, but open the possibility that this property and others in our neighborhood could be zoned for other uses. This is highly unsatisfactory. We definitely do not want the fundamental structure of this established neighborhood community to be changed to anything other than R-1.

Another concern is that this property has been poorly cared for over the years and is not large enough for many residents, especially senior residents who have walking assistance needs and other health care equipment and need more help through the day with various personal and healthcare issues. It is regrettable that this property was not sold and turned back into a private residence to be consistent with the neighborhood as a whole. There is current work being done on the property that is careless and has already damaged a neighbor's power line. From this poor quality, we wonder what the true care will be of residents and this property.

We question the amount of space that each resident will be allowed since 10-15 people with care givers and other providers, as well as family visitors, will present a very crowded facility. This seems to us that possible warehousing of elders and the medically fragile could occur for potential profit.

We appreciate your time and concern for this important issue.

Gemma Morris



**Quevedo, Vicente M.**

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**From:** Ken\_Blemel@mgtsciences.com  
**Sent:** Tuesday, July 12, 2016 7:24 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Opposition to zoning change for 12105 Sierra Grande NE

Vincente M. Quevedo  
Planning Department  
600 2nd Street NW 3d Floor  
Albuquerque, NM 87103

Mr. Quevado:

I own a family residence at 12412 Sierra Grande NE. Our subdivision has been zoned R-1 since moving to my home in 1976.

I am strongly opposed to changing zoning of 12105 Sierra Grande NE zoning to O-1 (Office and Institution) as I believe

the change will result in change of housing value, increased traffic and lack of parking in the vicinity.

Sincerely,

Kenneth G. Blemel  
12412 Sierra Grande NE  
Albuquerque, NM 97110

**Quevedo, Vicente M.**

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**From:** edwdeye@gmail.com  
**Sent:** Tuesday, July 12, 2016 7:40 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Zoning designation

I am opposed to the change in zoning for 12105 Sierra Grande Ave NE from R-1 to O-1. I have lived in the neighborhood at 12209 Loyola Ave. for 22 years. Thank you. Edward Dey. 505 331 1001

Sent from my iPhone

**Quevedo, Vicente M.**

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**From:** Cindy Moya <cmoya11@me.com>  
**Sent:** Wednesday, July 13, 2016 11:57 AM  
**To:** Quevedo, Vicente M.  
**Subject:** Request zoning change

Vincente,

The house at 12105 Sierra Grande NE, we are opposed to any zoning changes at this address. The house is on the corner of Casa Grande and Sierra Grande with limited parking now, additional beds at the address will cause more traffic and parking problems in the neighborhood and on my street ( Casa Grande Pl ). All the housing in this residents area are residential. We do not want a commercial property in this area because of the traffic issues and unwanted people. My address is 1016 Casa Grande Pl NE. I am planning to be at the zoning meeting on August the 11th to voice my opinion against this change.

Sincerely,  
Steve and Cindy Moya

Sent from my iPad

July 14, 2016

Vincente M. Quevedo  
Planning Department  
600 2<sup>nd</sup> St NW, 3<sup>rd</sup> Floor  
PO Box 1293  
Albuquerque, NM 87103

Dear Mr. Quevedo:

I was saddened by the request to change zoning at the residential home at 12105 Sierra Grande (formerly a 10 bed assisted living facility) to an Office and Institutional Zone. Certainly no home owner wants their house in anything but a residential zone!

I realize that assisted living homes are always in need; as the larger facilities are often too expensive for many; and the smaller places can often be more home-like. However, the larger they are the more likely problems will exist (increased traffic, parking needs, etc). Even with the home as a 10 bed facility, I saw motorized wheelchairs on my street, and often at Juan Tabo and Sierra Grande, headed for Albertsons or McDonalds. You can't help but be concerned for their safety!

Needless to say, my major concern is the probability of rezoning.

Thank you for your part in bringing this to a positive outcome for all involved.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Carnahan".

Patricia Carnahan  
1008 Casa Grande Ct NE  
Albuquerque, NM 87112

Vicente Quevedo  
re: zoning change  
at 12105 Sierra Grande NE

a big NO! NO! NO!

Thank you.

Dorothy Craper  
12313 Sierra Grande

7/15/16

I'M GREATLY OPPOSED  
TO A ZONING CHANGE  
FOR 12105 SIERRA  
GRANDE NE.

INTERSECTION IS ALREADY  
A BOTTLENECK.

A BUSINESS SHOULD NOT  
BE IN THIS INTERSECTION  
JERRY SENA, 294-4959



## Quevedo, Vicente M.

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**From:** BETTY J RUSSELL Owner <bettyiam37@q.com>  
**Sent:** Saturday, July 16, 2016 9:23 PM  
**To:** Quevedo, Vicente M.  
**Subject:** RE: zone change application at 12105 Sierra Grande Ne

Date: 16 July 2016  
From: Betty J. Russell  
Subject: zone change application at 12105 Sierra Grande Ave NE  
To: Vicente M. Quevedo

Mr. Quevedo,

This letter is to register **strong** opposition to Project 1010903 requesting to change zoning on the property at 12105 Sierra Grande Ave NE from R1 Residential to O1 Office and Institutional.

My home at 12204 Casa Grande Ave NE is directly adjacent to the north of 12105 Sierra Grande NE.

Over the years after 12105 Sierra Grande next door to me became an assisted living facility, the 10 client facility has presented consistent problems... lack of maintenance of their property... keeping dogs that were ignored by them in the back yard adjacent to us that were aggressive, as well as constant barking at all hours... allowing uncontrolled trash blowing out of their trash bins... smokers and constant cigarette butts in our front area... cars in and out at all times... non response to problems until we had to resort to legal authorities... Small problems, yes, but enough consistent small problems that they became unwelcome neighbors.

With my experience with the smaller facility, enlarging the population in the same facility does not present a vision of an enriched environment. I foresee that allowing this facility to expand larger will change the character of our residential neighborhood even more.

I have issue with the statement that this home is the only assisted living facility in the 87112 area. At this date I know of 4 Assisted Living facilities within a 3 mile radius, and possibly more... one newly opening.. they are : Las Colinas, 500 Paisano St NE... El Camino, Lomas NE... La Resolana Senior Apts, Chelwood Park Blvd... Brio Asst Living, 13101 Constitution NE...

**MOST IMPORTANTLY** though, changing the zoning designation to an O1 Office and Institution will open a myriad of options for the property to become in the future any of many different facilities that would be totally unacceptable, undesirable and detrimental to an upscale residential neighborhood.

Respectfully,

Betty J Russell  
12204 Casa Grande Ave NE  
Alb, NM 87112  
(505) 293-1904

**Quevedo, Vicente M.**

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**From:** Casajdean@aol.com  
**Sent:** Monday, July 18, 2016 12:51 PM  
**To:** Quevedo, Vicente M.  
**Cc:** golfncindy5@gmail.com  
**Subject:** Requested Zone Change at 12105 Sierra Grande Ave. N.E.

We have learned High Dessert Assisted Living LLC has requested a Zone Change for the subject address on Sierra Grande Ave. N.E. (from R-1 to O-1).

**WE ARE DEFINITELY OPPOSED TO THIS REQUEST.**

We have lived in this small neighborhood since it was developed, and we can tell you the traffic and on-street parking has become worse and worse! The on-street and on-concrete pad parking at this former 10-bed facility has caused us problems with trying to see west-bound cars driving down Sierra Grande when we have to use this intersection (every day) to leave our Casa Grande home to drive to Juan Tabo. Additionally, it should be noted cars parking on the west side of subject property (along Casa Grande NE) then reduces driving lanes on Casa Grande. This is an intersection where east bound drivers repeatedly drive fast when using this corner and then immediately face a curve with more cars often parked at the curb .

**CAN'T YOU JUST VISUALIZE THE PROBLEMS MORE CARS AT A 15-BED PROPERTY WILL CREATE?**

You should also know we have been living with an ADDITIONAL TRAFFIC PROBLEM for many years.....cars now cut through our neighborhood daily from Mountain Road (onto Upland) and from Lomas at the Manzano High School traffic signal. This causes increased problems for the subject intersection of this home.

Also, in case no one has mentioned it, we have already had an accident on Casa Grande (near the curve mentioned above). This killed our neighbor! Earlier than this accident a speeding driver hit a child at the intersection of Casa Grande and Morina Ct. And, several years ago another driver lost control of his car (about 1:00 AM) and knocked down our newly-installed mail box, cut deep ruts into our front yard and proceeded into the yard of the neighbor living on the other corner of Morina Ct. None of these drivers were residence of our neighborhood. They were taking a short-cut to some other destination.

Thus, adding anymore cars in this area is just not fair to the property owners of Monterey Manor Subdivision. We feel this is especially true since we already have another absent owner of property who intends to turn it into another care home. He has not started the Reno YET, but the property sits shuttered and leaves a bad impression for our neighborhood. Currently, there is NO OFF STREET PARKING AVAILABLE AT THIS PROPERTY. Where will his visitors park?? We also have wheel chair-bound people from a facility backing up to our neighborhood (at the corner of Mountain and Chelwood Streets) using our streets to get to Juan Tabo. This causes another potential traffic problem.

**PLEASE DO NOT ALLOW THIS ZONING CHANGE TO PASS.**

**John & Shirley Dean**  
**12311 Casa Grande Ave. N.E.**

## Quevedo, Vicente M.

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**From:** Ereksion, Debra A <erekson\_deb@aps.edu>  
**Sent:** Tuesday, July 19, 2016 12:20 PM  
**To:** Quevedo, Vicente M.  
**Cc:** jody@orginalcare.com  
**Subject:** Monterey Manor Subdivision Zoning Issue

Vincente Quevedo  
Planning Dept.  
600 2nd St. NW 3rd Floor  
PO Box 1293  
Albuquerque, NM 87103

Mr. Quevedo,

I am **unequivocally opposed to the proposed rezoning** of the property on 12105 Sierra Grande Ave N.E. Lot A, Block B in Monterey Manor Subdivision. This property has already **driven down the value of all our homes** when it **sold for only \$192,000.00** to Original Care. It is has been an **eyesore for years** and is in **violation of the building covenants for Monterey Manor**. There is a **similar property on Casa Grande Ave. NE. One is enough for any neighborhood!!!!** Not to mention the **obvious greed of Original Care** to extend the patient level from 10 to 15. **Really!!!**

Thank you.

Ms. Debra Ereksion  
12305 Casa Grande Ave. NE  
Albuquerque, NM 87112

**Quevedo, Vicente M.**

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**From:** Russell Morris <rwmorris@unm.edu>  
**Sent:** Wednesday, July 20, 2016 4:26 PM  
**To:** Quevedo, Vicente M.; Russell Morris  
**Subject:** Sierra Grande rezoning

Vicente M. Quevedo

My wife and I have lived our home at 1124 Upland Dr Ne. for over 33 years. This small subdivision includes 132 homes and only has 3 points of entry. We strongly oppose the rezoning of the property in our subdivision at 12105 Sierra Grande from R1 to O1, The proposed plan supports a 10-15 bed assisted living center on that property. I really don't think that is the plan the developers want to achieve. I think that once rezoned, the proposed assisted living center proposal will be dropped and then the property can be sold for any industrial purpose. A bar, for example, a halfway house, this is just the starting point to intrude on the integrity and culture of our small subdivision. A 3,100 sq. foot residential home is too small to adequately take care of 15 people plus on site caregivers. You should see the property now, the developers have hired an incompetent contractor to renovate part of the property. A tree was cut down, which also took a power pole with it, hitting the eaves and soffit of the NE corner of the home, which is now going to cost a significant amount of money to repair. If this property is rezoned, what is to prevent another developer from buying another property in the sub division and doing the same thing?

Russell W. Morrisrw

## Quevedo, Vicente M.

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**From:** Ed & Amy Haas <ehaas@swcp.com>  
**Sent:** Wednesday, July 20, 2016 9:09 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Request to rezone 12105 Sierra Grande Ave. N.E.

**Importance:** High

Mr. Vincente M Quevedo  
Planning Department  
600 - 2<sup>nd</sup> Street N.W., 3<sup>rd</sup>-Floor  
P. O. Box 1293  
Albuquerque, New Mexico 87103

Dear Mr. Quevedo,

In early 2002, my husband, Edward F. Haas, and I (Amy Haas) purchased the residential home in which we currently reside. Our physical address in the Monterey Manor Subdivision is 12512 Loyola Avenue N.E., Albuquerque, New Mexico 87112.

This location was purchased as a residential home; it was purchased specifically for use as a residential home and because it is located in a well-established residential neighborhood. Both my husband and I are adamantly opposed to a change in the zoning designation from R-1 (Residential) to O-1 (Office and Institution Zone) of the property located at 12105 Sierra Grande Avenue N.E. We firmly believe the function of the Monterey Manor Subdivision should remain as a residential neighborhood.

Should you have any questions of my husband or me, please feel free to contact us at our home number: (505) 296-8509. Thank you for your attention to this matter.

Sincerely,  
Amy Haas



Environmental Planning Commission  
Attn: 12105 Sierra Grande Zoning Change  
600 2<sup>nd</sup> St NW  
Albq. NM 87102

Sunday, July 17, 2016

Dear Sir,

We would like to voice our opposition to changing the zoning designation of R-1 to O-1 for the property located at 12105 Sierra Grande Ave, NE 87112 located on the corner of Sierra Grande and Casa Grande.

We are deeply concerned that this change would cause an increase in traffic, which is already a problem, as well as an increase the lack of street side parking in that particular part of the neighborhood.

We are not opposed to the establishment of this particular property as an assisted living residence at its current level of 10 occupants. But the change in zoning that would need to be done in order to increase the allowable resident levels to 15 is what we oppose. This zoning change would allow for some future business change on this property that would not be acceptable in this residential neighborhood at this time, or in the future.

Please Note our opposition to this change in zoning codes for this property at this time.

With Regards,

Martin and Peggy Arterburn  
12300 Casa Grande Av. NE  
ABQ. NM. 87112

rcd by cll  
7-22-16

**Quevedo, Vicente M.**

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**From:** Biatris Adriana <biatris88201@hotmail.com>  
**Sent:** Thursday, July 21, 2016 7:38 PM  
**To:** Quevedo, Vicente M.  
**Cc:** rico\_barr@hotmail.com  
**Subject:** Letter opposing zoning change

Dear Mr Quevedo,

We are writing to voice our opposition for change of zoning at 12105 Sierra Grande Ave NE. We have lived in this area for nearly a decade and have owned 2 homes within 100 yards of this property.

This location has always been an issue. First as a medical type of home that frequently had ambulances and visitors bringing additional traffic and noise to this area. There was once a disturbing scene we, and several guests, witnessed. A woman was being coded and died on the properties front steps! Subsequently, when the home was no longer in use as a medical care location, it was occupied by tenants that were loud, disruptive and did not keep up the property.

We already are concerned about what this property re-opening will mean for our community. We certainly are completely opposed to it changing in any way that would allow more potential disturbances to our lovely neighborhood.

Thank you,  
Ricardo and Biatris Barrera

Sent from my iPhone

## Quevedo, Vicente M.

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**From:** Melinda Montoya <dukecitymontoyaz@yahoo.com>  
**Sent:** Sunday, July 24, 2016 4:37 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Statement of concern--Opposition to neighborhood Zoning designation

Mr. Quevedo:

This letter is in regards to the beginning process to change our neighborhood from R-1 to O-1 zoning because the owner, High Dessert Assisted Living of 12105 Sierra Grande, plans to make the home into a 15 bed assisted living facility. We strongly **OPPOSE** this plan.

We are the residents at 12504 Casa Grande Ave NE and have been living here now for 14 years and are currently the second owners of this home. In the years of being part of this neighborhood, we have raised two children and have become close in our relationships with other residents. Throughout the years, some of our eldest neighbors have passed on and new families with children move in. These children grow, graduate from Manzano and start their own lives eventually coming back to visit with their own children. It is our concern that if the zoning were to change from Residential to Office and Institution Zoning, it will disrupt the family oriented neighborhood environment that anyone would expect and want when choosing a place to live out their lives. The expectation and fear would be that whenever a home would be up for sale in our neighborhood, it could potentially become:

- Offices
- Religious Institutions
- Clubs
- Community Corrections Programs
- Rehab facilities
- Restaurants
- Medical supplies and services
- Personal Service Shops

It is not just this residence being considered for being an Assisted Living home we are concerned with—but ALL homes are now part of a BUSINESS district and the neighborhood is now at risk of becoming part of a strip mall. This is NOT what we want for our neighborhood. With our older established area having homes with plenty of square footage for larger families, this would be very attractive to buyers who would turn them into business properties. The quaint neighborhood would eventually be pieced out and become something it was never intended for. We chose this HOME—not OFFICE to live in. It was intended for family living only and that is why we are opposed this zoning change plan. We never dreamed while purchasing our home that it would ever possibly become a business zone. Plus, we would not want to be forced out because the two houses on either side of us came up for sale and were turned into massage parlors (Personal Service Shops)

and Chuey's Chimmichangas moved in across the street. (Restaurant)



In all seriousness, my husband and I are very comfortable in our home and plan on living the rest of our lives here. We chose this area because it is a safe neighborhood and we enjoy peaceful walks around the block as do other residents. We have invested in updates to our property and have the

hopes that after we are gone, another family will have the opportunity to raise their own children in this home--free of high traffic and being able to enjoy this peacefulness our neighborhood has to offer with other caring residents as we did.

There are plenty of other locations already zoned throughout Albuquerque where High Dessert Assisted Living can pursue their business endeavor. We are not against their business—just their choice of location and the effect it would have on our neighborhood community if the zoning is changed. We say NO to Office and Institution zoning (O-1) and YES to Family (Residential) R-1.

We appreciate the opportunity to voice our concerns as it may affect the quality of life and peace in our neighborhood with the traffic, noise and pollution an O-1 zone designation would naturally bring. I'm sure the owners of High Dessert Assisted Living go "home" to their own houses located in residential zoned neighborhood and could understand why owners living in this subdivision would be opposed to such a drastic change that could have a huge impact on our surroundings. Perhaps there is a home available in "their" neighborhood they could use for this business, and their neighbors are willing to rezone to Office and Institution.

Sincerely,  
Melinda and Frank Montoya

**Quevedo, Vicente M.**

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**From:** Cindy <golfcindy5@gmail.com>  
**Sent:** Monday, July 25, 2016 10:25 AM  
**To:** Quevedo, Vicente M.  
**Subject:** Zoning change 12105 Sierra Grande Ave NE  
**Attachments:** roof damage.jpg; roof damage1.jpg; roof damage2.jpg

Dear Vincente Quevedo,

My family has lived on Casa Grande Ave two doors north of the Assisted Living Facility for 24 years. They have not been good neighbors and I have plenty to compare them to because I am surrounded by great neighbors otherwise.

The previous owners let their dogs bark continuously with no recourse for us because they would not answer their phone or door or put their dogs inside. The tenants they had had altercations that escalated to a degree that the police department had to be called. The previous owner (Janet) finally dropped dead (seriously dead) in an screaming match with the tenants on the driveway and that is how the property came up for sale.

We already had a bad taste in our mouth when the new owners came in making promises to restore the property to its former beauty and appearance, to be good neighbors. Then they began by hiring a subpar worker to cut down a dead tree that had been encroaching on Betty Russell fence for years (next door to property). He was not a professional by any measure. He had no gear to climb a tree, no ropes to lower branches, he just took a chainsaw and went at it. Consequently, he dropped the whole tree on the roof of the house in question and cut off the electricity to my next door neighbors house for the rest of the day, (pictures attached.) The damage has still not been repaired. It would be funny if it weren't lowering my property value.

We want our lovely residential area to remain just that, a residential neighborhood.

We are as opposed as strongly as one can be to a zoning change to O-1. We don't begrudge the folks that bought the place a way to make living and take care of the elderly but leave it R-1 so when the next person buys it they can't turn it into any other option allowed by the O-1 Zoning Codes. The possibilities are extensive, restaurant, radio station, club, massage parlor and the list goes on.

Please help us stop this zoning change. Thank you for your help.

Cindy Miller  
271-9466











**Quevedo, Vicente M.**

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**From:** Audrey Fisher <audreyfisher@hotmail.com>  
**Sent:** Thursday, July 28, 2016 11:24 AM  
**To:** Quevedo, Vicente M.  
**Cc:** golfncindy5@gmail.com  
**Subject:** Fw: 12105 Sierra Grande NE 87112 - Zone Change Opposition

Mr. Quevedo,

Please find the project number below regarding my email sent July 26 2016; also below.

project number —**PROJECT# 1010903 EPC #40030**

Thank you

Audrey Fisher

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**From:** Audrey Fisher <audreyfisher@hotmail.com>  
**Sent:** Tuesday, July 26, 2016 6:01 PM  
**To:** [vquevedo@cabq.gov](mailto:vquevedo@cabq.gov)  
**Cc:** Loren Worthen; [golfncindy5@gmail.com](mailto:golfncindy5@gmail.com)  
**Subject:** 12105 Sierra Grande NE 87112 - Zone Change Opposition

Mr. Quevedo,

I am an owner/resident at 12509 Sierra Grande NE ABQ NM 87112 in Monterey Manor.

I have learned of the zone change request to accommodate a 15-bed assisted living facility at 12105 Sierra Grande NE and am writing to share my opposition.

I wish the subdivision to remain a residential community.

I am appalled at the condition of the property to begin with. I do not wish for this location to create more of a disturbance or possibly decrease our residential property values further.

Thank you for your time and consideration.

Audrey Fisher  
505-688-4717

**Quevedo, Vicente M.**

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**From:** jolly joseph <jollyjoseph1962@hotmail.com>  
**Sent:** Thursday, July 28, 2016 12:03 PM  
**To:** Quevedo, Vicente M.  
**Subject:** PROJECT# 1010903 EPC #40030

## NO ZONING CHANGE IN MONTEREY MANOR

Hi

I am contacting you with reference to the above noted project.

I am a resident of Sierra Grande Ave NE which is in the Monterey Manor sub division. With many others living in that area, I also totally oppose zoning change of the property located in the corner of Sierra Grande and Casa Grande Ave. Multiple factors contribute to the opposition. That includes, but not limited to:

1. More traffic in that already risky spot of the street. The property being planned to be utilized for an assisted living facility for up to 15 residents, the chance of wheelchair bound residents strolling down the street is very high. This is a risk for drivers as well as the residents
2. Stranger presence in the neighborhood. With the violent incidents going on around the world and our country specifically, we are concerned about strangers being present in our peaceful neighborhood. Anyone in a vehicle in that street/s can be a visitor to the assisted living facility or can be a person with criminal mind. If the facility is there, it is very likely to ignore strangers in our street thinking that they are visitors to those facility residents. This is a very risky. We are always reminded to be "aware of your surroundings."
3. We have real concern about decreasing the property value, in general. For example, generally, single family residents prefer not to purchase a house close to an apartment, why? Because there is a risk involved about the safety of the family members. Here also, the situation is similar

There are more to add. All the concerns were raised to the owner of the property. But at the same time, we are not opposing him using his property for a purpose he thinks is beneficial for him, but it should not be disturbing or changing the status of the neighbors.

So, I, as a resident of Sierra Grande Ave NE (12404 Sierra Grande), **I totally oppose** changing the zone of the property to O-1 from R-1

Jolly Joseph



## Quevedo, Vicente M.

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**From:** Tommy D Donham <tdonham@juno.com>  
**Sent:** Thursday, July 28, 2016 7:59 PM  
**To:** Quevedo, Vicente M.  
**Subject:** PROJECT# 1010903 EPC #40030, Property at 12105 Sierra Grande NE, Albuquerque

Dear Vincente, I have sent this letter before but I have added the project number which I was told was important and I have added additional information to the end of the letter as number 5 that gives information as to why I can say what I did in the letter.

To: Vincente M Quevedo, Planning Department

I am writing in regard to the request to change the zoning designation for the property at 12105 Sierra Grande NE (**PROJECT# 1010903 EPC #40030**) from R-1 to O-1. I am giving my reasons for objecting to this change and I am asking for the sake of the neighborhood you will reject the request for the change:

1. The intersection of Sierra Grande NE and Casa Grande NE is a very busy intersection. There are only 3 entrances/exits from this subdivision of many homes and Sierra Grande is the busiest as it comes directly off Juan Tabo. In addition to the traffic by the home owners coming and going, many other people use Sierra Grande and Casa Grande as a bypass route to miss the lights at Juan Tabo and Lomas. During the school year the students at Manzano High School use the neighborhood streets when going to and from school.
2. When 12105 Sierra Grande NE was used as a 10 bed facility the parking around the facility became heavy with the workers vehicles and the people visiting the inpatients. This parking was right at the busy intersection of Sierra Grande and Casa Grande which caused a traffic jam at times. The visitors to the facility that found room on the driveway to park then had to either back out onto Sierra Grande or Casa Grande which is busy with traffic especially at times.
3. The resident patients could also be in danger when they leave the home. Let me give you one example. There was a lady resident there that was in a power wheel chair. She would go down to the shopping strip right there by the home which caused her to cross the street. The lady's head was so stopped over she would have been unable to see very far for the traffic. The owners of the homes in the area were aware of her so they used caution coming to that intersection. High school students and others using the streets would not have been aware of this lady. I personally had to come to a stop once in a while to let the lady cross the street.
4. The location of 12105 Sierra Grande NE could not be in a worse spot for a facility that brings considerable traffic. Going from a 10 bed unit to a 15 bed unit or some other commercial use will cause traffic that is totally unacceptable. The home should never have been changed from a one family dwelling place due to its location with very limited parking space.
5. I ride my bicycle for exercise in the Monterey Manor subdivision 3 days a week for about an hour each day. I average about 100 miles a month on the streets. I ride at different times of the day from early morning to mid afternoon. It is amazing how many people use this neighborhood as a shortcut to miss traffic lights at Lomas and Juan Tabo by traveling up Sierra Grande to Loyola Pl and exiting onto Lomas. The Manzano students use Sierra Grande, Loyola Pl. and Upland going to and from school. I will not even ride my bike during the time students are going to and coming from school. Cars come off Mountain onto Upland and turn down Casa Grand to Sierra Grande and exit Sierra Grande behind Samons to avoid trying to get on Juan Tabo

at Mountain. As you can see by this information the intersection of Sierra Grande and Casa Grande is extremely busy with traffic. The traffic I described is in addition to the traffic of the residents in the subdivision. The home in question is directly at the NE corner of that intersection. Add the parking for a 15 bed assisted living on that corner and you create an undesirable situation for the residents as that is one of only three entrances and exits for the 191 homes in the area.

We respectfully request you deny the request for the zone change to O-1 and maintain the zoning as R-1 without any additional designation such as special use, etc.

Tommy and Martha Donham  
1012 Casa Grande Pl. NE  
505-299-0028

## **Quevedo, Vicente M.**

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**From:** Alarra3030 <alarra3030@aol.com>  
**Sent:** Friday, July 29, 2016 8:41 AM  
**To:** Quevedo, Vicente M.  
**Subject:** Monterey Manor zoning change

This letter is to inform you of our objection to the proposed zoning change that will be heard on August 11. We are residents of Monterey Manor and have been for 34 years. We strongly oppose a zoning change with the property at 12105 Sierra Grande NE, Project #1010903 EPC #40030.

This property has functioned as an assisted living facility in the past under the R1 zoning and there is no reason why the zoning should change. This is a quite residential neighborhood with well maintained homes. We are having younger families move in as some of original owners have passed away or moved away. R1 is how we are zoned now and I hate to think of this changing. If the new owners want to have more beds than in the past then they should find another neighborhood. We are not objecting to the assisted living facility. Only adding beds which would mean a change in the zoning.

Please consider this information when thinking of a zoning change. We the neighborhood are not in favor of this needless change.

Percy and Ann Larranaga  
12211 Sierra Grande NE

**Quevedo, Vicente M.**

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**From:** Harriet Gerding <hgerding838@hotmail.com>  
**Sent:** Friday, July 29, 2016 11:38 AM  
**To:** Quevedo, Vicente M.  
**Subject:** Project #1010903 EPC #40030  
**Attachments:** Zoning change.docx

Mr. Quevedo,

I am sending you the attached letter in opposition of the zoning change listed above. I would appreciate the EPC's attention to my letter and all other letters in opposition of this change.

Thank you.

Harriet L. Gerding

Sent from Outlook



Harriet L. Gerding  
12212 Sierra Grande NE  
Albuquerque, NM 87112

July 29, 2016

Vicente M. Quevedo  
Planning Dept.  
600 2<sup>nd</sup> St. NW, 3<sup>rd</sup> Floor  
P. O. Box 1293  
Albuquerque, NM 87103

**RE: Project # 1010903 EPC #40030**

Dear Mr. Quevedo:

I am writing you concerning the project shown above. I am very much opposed to this zoning change.

I have lived in Monterey Manor since 1969. It has always been a very nice neighborhood. With the proposed change in zoning, property values would decrease and the charm of this small neighborhood would also be affected. Many of the residents have lived here for a long time. As these people leave, younger families will move in. This can only improve the neighborhood.

I am sure you have received many letters stating all the good reasons for this zoning change to be defeated. I will not reiterate them, but I do agree with them.

The Assisted Living facility that was previous there housed 10 beds. This could continue with no zoning change. We appreciate that this company has purchased the property with plans for improvement. However, I do implore the Environmental Planning Commission to defeat this proposed zoning change. Please leave this charming neighborhood the same as it has been since the 1960s.

Thank you for your consideration.

Sincerely,

Harriet L. Gerding

Cc: EPC c/o Kym Dicone

## Quevedo, Vicente M.

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**From:** Shonna Sanders <shonnasanders@comcast.net>  
**Sent:** Friday, July 29, 2016 12:16 PM  
**To:** Quevedo, Vicente M.  
**Cc:** 'Cindy'  
**Subject:** PROJECT# 1010903 EPC #40030---

Hi,

My name is Shonna Sanders. I live at 12508 Loyola Ave N.E. I am writing in regards to the property on the corner of Casa Grande Ave N.E. and Sierra Grande Ave N. E.

I AM OPPOSED TO THE ZONE CHANGE FROM R-1 TO O-1! Most people in this neighborhood did not know that this property was already a 10 bed facility. They changed it without notifying anyone in this neighborhood. If we had been notified, we would have opposed it then! Over the years as homes have sold in this neighborhood, young families have moved into this neighborhood. I would like to see this property turned back to its original design of a single family home. I do not feel it is appropriate to have a 15 bed facility in this neighborhood! If this facility does not work and it is sold, it could become a rehab center, halfway house or some other business, that is inappropriate for this neighborhood, and not safe for children that live and visit this neighborhood. I do not want an R-1 with special services stipulation put on this property either!

I think it would make it easier to obtain an O-1 zone change in the future. I do not want an O-1 zone change with stipulations to return it to R-1 in the future if it sells.

I feel that also opens the door for another challenge in the future.

Thank you for your time and consideration.

Shonna Sanders

## **Quevedo, Vicente M.**

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**From:** Pam Hamilton <plham@h3ent.com>  
**Sent:** Friday, July 29, 2016 3:06 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Dell Hamilton  
**Subject:** Opposition to R1 Zone change of 12105 Sierra Grande Ave NE

Our opposition to this zone change is :

- 1: Zoning change hasn't occurred yet and traffic has already increased in the area
- 2: Where is everyone going to park for this facility
- 3: If zoning is changed then we no longer live in a residential area and will now be in a Office and Institution Zone which means that we could be living near i.e... Club, Community Corrections Program and Rehab facilities.
- 4: Will there be an increase of crime in our area?

We bought in this area because of the quaint residential community and closeness of our neighbors. We strongly oppose to this change in Zoning.

Thank you for your assistance in this matter,  
Dell & Pamela Hamilton  
1017 Casa Grande PL NE  
Albuquerque, NM 87712

## Quevedo, Vicente M.

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**From:** desertswine@netzero.net  
**Sent:** Friday, July 29, 2016 4:33 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Zoning Change Objections...

Re: Project #1010903  
EPC #40030  
at  
12105 Sierra Grande Blvd NE  
Albuquerque NM 87112

Dear Mr. Quevedo,

The purpose of this letter is to voice our objection to the proposed zoning change to a single family residence located at 12105 Sierra Grande NE, Albuquerque NM 87112. The proposed change is from R-1 to O-1 in the Monterrey Manor Subdivision.

The Monterrey Manor Subdivision consists of approx 130 single family dwellings and it dates from the 1960's. My wife and I have lived here since 1973, We raised our 3 children here in safety and quiet, and now our grandchildren frequently visit. The residence in question is located a block east of Juan Tabo Blvd. at a crucial intersection of Sierra Grande and Casa Grande Blvd. It is the only entrance into our neighborhood from the east.

The residence is currently vacant and boarded up. It seems to be in the process of being gutted. It had been in use as an assisted living facility until a few months ago. The current owner wants to continue utilizing it as an assisted living facility except that he wants to *expand* it. By expand it I mean that he want to cram 15 beds into what is a single family residence.

There is no parking, except on the street, that is. Even the garage will be utilized as something other than a garage. There is already a traffic problem, especially when Manzano High School is in session or when there is an event at Wilson Stadium. The noise from the stadium when they have a game or event is already very loud, and the traffic has become relentless. The addition of a 15 bed nursing home will only aggravate the situation. We are willing to put up with the High School, after all that's where our kids went. But we don't want the situation to become worse.

I am 70 years old and have just recently retired after 25 years of service to the City of Albuquerque. My wife Vicki is also retired from the City of Albuquerque after 20+ years of service. We would like nothing better than to spend our years in our quiet community and enjoy our neighbors.

We are asking you to help us preserve our neighborhood and our community.

We were informed that you were the correct person to notify with our objections. But should it be that you are not, would you please forward this to the correct person.

Thank you,

Ken and Vicki Klammer

12501 Sierra Grande Blve NE  
Albuquerque NM 87112  
Ph - 293-7916  
email - [vjklammer@gmail.com](mailto:vjklammer@gmail.com) or [desertswine@netzero.net](mailto:desertswine@netzero.net)

**Quevedo, Vicente M.**

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**From:** Tiffany Rawls <trawls1991@gmail.com>  
**Sent:** Friday, July 29, 2016 5:40 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Project #1010903 EPC #40030  
**Attachments:** Opposed Project 1010903.pdf

Good evening,

I hope this email finds you well. Attached is a letter voicing my concerns for the change in zoning on property 12105 Sierra Grande Ave NE. I hope you take these concerns into consideration as you make your decision.

Best regards,

Tiffany

Tiffany Rawls

## **Quevedo, Vicente M.**

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**From:** Charlene <kg5gb@aol.com>  
**Sent:** Saturday, July 30, 2016 4:07 PM  
**To:** Quevedo, Vicente M.  
**Cc:** golfncindy5@gmail.com  
**Subject:** PROJECT# 1010903 EPC #40030

This is register my concern with the proposed change in zoning for the property located at 12105 Sierra Grande NE from R-1 to O-1. This has been an established neighborhood for sixty some years and has held its value with a less than average turn-over of property. It is a small three block area of older, custom build homes that have been well taken care of. (I am resident of 34 years.)

The change in zoning is not necessary to keep the above mentioned property as an Assisted Living Facility, only to limit the number of residents. I am a frequent visitor to nursing homes, assisted living facilities, rehab centers, etc and have recognized the need of such facilities, but also recognize the need for sufficient room area and common areas for dining and socializing with other residents and visitors. I have not been in the house for over twenty years, but can not imagine enough room to provide for over ten residents at any one time. Also, I do not remember a very large outdoor area for the residents to enjoy. I do welcome such a facility in our area as I visited such facilities in other areas of the city and I do believe it would be a great improvement to the state of the property in its present state.


Simply stated, I oppose the proposed zoning change from R-1 to any other zone whether it can be changed back at later date or not.

Charlene Henderson  
12411 Casa Grande Ave NE  
505-294-6210



## Quevedo, Vicente M.

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**From:** Adina Maes <amm1970@comcast.net>  
**Sent:** Sunday, July 31, 2016 6:14 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Sam   
**Subject:** Monterey Manor Neighborhood Zoning Opposition

Dear Mr. Vicente Quevedo,

This is a letter expressing opposition of zoning change from R-1 to O-1 in Monterey Manor neighborhood. We live at 1029 Casa Grande Pl. NE and have been residents of this neighborhood since 1985. We are **strongly** opposed to the zoning change PROJECT# 1010903 EPC# 40030 for 12105 Sierra Grande Ave NE. Please include this with the other letters of opposition from our neighborhood.

Sincerely,  
Sam and Adina Maes  
505-401-3811  
[amm1970@comcast.net](mailto:amm1970@comcast.net)

## **Quevedo, Vicente M.**

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**From:** Sean Ross <sean.ross@comcast.net>  
**Sent:** Sunday, July 31, 2016 6:45 PM  
**To:** Quevedo, Vicente M.  
**Cc:** golfncindy5@gmail.com  
**Subject:** 12105 Sierra Grande zoning change

Mr. Quevedo

I can't begin to tell you how much I am opposed to changing the zoning of 12105 Sierra Grande. Monterrey Manor is a residential neighborhood and it is inappropriate for there to be any commercial enterprises, including halfway houses within it. There are plenty of nearby commercial spaces, including some completely vacant lots and unused retail space that can be used for a variety of commercial purposes. I also urge you to check the covenants on the property very carefully. You can't change those covenants without the approval of a reconstituted homeowners association.

We already have a halfway house at 12513 Sierra Grande which needs to be removed as well. That halfway house is under-managed and we already have had incidents of mentally impaired adults wandering into people's yards. I had to build the wall into my backyard higher after I threw a guy out who had been enjoying my patio at 2am by climbing the retaining wall. He was genuinely surprised at why I would be upset that he was there because he had already been there for three hours with some of his friends. He left and I watched where he went – it was to the halfway house. I didn't report it since no harm was done. We have also had people climbing up on the roof of our house. The point is that halfway houses are for-profit and those who run them typically only provide the minimal care they are obligated to provide and the mentally impaired or immature need more supervision than companies typically provide. Since they leave their people unsupervised, there is no responsible adult to contact when someone revs their motorcycle for half an hour every morning or is having a loud argument. These homes were designed to be lived in by 5 or 6 people, not 10 to 15.

I also object to my hearing about this from a neighbor rather than from an announcement from the city. Did you sneak the first one past us without announcement? Is that why we never heard about it until too many cars and unsupervised impaired people started showing up in the neighborhood? There is also a house on 12516 which shows a lot of signs of being a meth lab – lots of cars often late at night, always different cars, lots of trash, closed blinds. We need help from the city to keep the neighborhood a place for people to raise their kids in or retire, not for the city to make things worse.

**Sean Ross**

12508 Sierra Grande Ave NE  
Albuquerque, NM 87112

505-710-1877

12512 Sierra Grande Ave. NE  
Albuquerque, NM 87112  
danielyoder@comcast.net

July 29, 2016  
Vincente M. Quevedo  
Planning Department  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM, 87103

Dear Mr. Quevedo,

Re: **Objection to zoning variance request for 12105 Sierra Grande NE: *PROJECT# 1010903 EPC #40030***

I write to object to the zoning variance request for High Desert Health Care. I have owned my home on Sierra Grande NE for fifteen years. Commercial property does not belong in a residential neighborhood. Going from a ten-patient assisted living home to one for up to fifteen residents will greatly increase the problems we must already content with, for the existing facility: enormous amounts of trash which is poorly secured; traffic and numerous cars parked on the street; barely-ambulatory residents pushing walkers around in the street.

The change to commercial zoning is not necessary for the group home to operate. It does, however, make the property more valuable to the new owner, especially since it allows him to repurpose it at any time in the future. Why is this even being considered? No one in wants office space, or a 15-patient drug rehab or corrections facility, on their block. Such uses are highly inappropriate and that is why they are not currently allowed.

I was surprised to learn that it is permissible to house ten to fifteen adults with cognitive and mobility problems in a single-family home, with only one caretaker on site to attend to them. This sound to me like little more than a warehouse with medication services. If I came round to visit on a holiday, would there even be a place for me and a resident to sit?

The warehouse model is clearly a very profitable one for an owner, and on the surface seems like a good solution to an ever-greater number of elderly people with no one to take care of them. But I urge the city to consider what quality of life a person can maintain living among 14 other adults, in a 4 bedroom home. This does not sound remotely pleasant, to me. And a single caretaker (likely with no professional nursing credentials or training) tending to ten to fifteen struggling adults, sounds like a vector to problems with hygiene and sanitation, medication errors, and worse. Right now the news is full of stories of group home failures, as with the Beehive home in Edgewood, NM cited for multiple code violations, and the easily preventable deaths of two residents. This should throw up red flags about the currently allowed warehouse-style group homes in New Mexico.

This house is located on a corner at a confluence of traffic from Juan Tabo, Loyola, Sierra Grande, and a popular bank, as well as cars cutting through the neighborhood from Lomas by driving behind the shopping center. When school is in session, many Manzano High students use Sierra Grande to avoid the light at Lomas and Juan Tabo. This is dangerous for folks with minimal mobility, who use electric wheelchairs, or push walkers in the street.

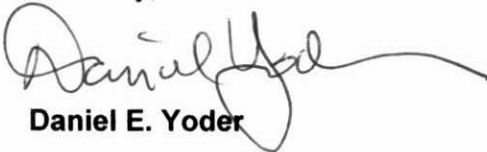
**Re: Objection to zoning variance request for 12105 Sierra Grande NE: *PROJECT# 1010903 EPC #40030***

Corporations exist to make money, and in too many cases, to circumvent the law with impunity. Changing the zoning for 12105 Sierra Grande to commercial (S-1) makes it a much more valuable property. The only way for a corporation or business to capitalize on that additional value is to repurpose it, or to sell it on to someone else who will repurpose it. No amount of personal assurances can convince me that an entrepreneur can resist a large payoff when it does not affect his own neighborhood in a deleterious way.

Once High Desert (or the ten-month-old "OriginalCare LLC") receives an O-1 zoning designation for the property, there is nothing to prevent them from repurposing it for more profitable (and less desirable, for our neighborhood) purposes. No kind of covenant or "claw back" language would be enforceable without the residents raising a big pile of money and going to court.

Monterey Manor is a well-established neighborhood of 300+ homes which are nearly all very well cared for. A great many still belong to their original owners—retired folks whose single major asset is their home, and that home's value is reduced with proximity to the business at 12105. We have made our peace with the existence of the run-down, ten-bed facility, and the concomitant problems of excessive trash and traffic. But expanding it by fifty percent, or transforming it into commercial real estate, is not appropriate for the neighborhood that the house is within.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel E. Yoder", with a long, sweeping horizontal line extending to the right.

**Daniel E. Yoder**

July 27, 2016

Vincente Quevedo  
Environmental Planning Commission  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87103

Re: Zoning Change for house located at 12105 Sierra Grande Ave. NE  
Project #1010903, EPC #40030

We moved into our house at 12500 Casa Grande NE fifty years ago this month. Up until recently we have been extremely pleased with our neighborhood and neighbors. However, now entering our area from Lomas on Sierra Grande and then turning onto Casa Grande has definitely become an eye sore to see the house on the corner, 12501 Sierra Grande, windows and doors all boarded up, no trespassing signs, and yellow "do not enter" tape around the house. It looks as though we live in a ghetto area!

We are most definitely opposed to changing the zoning in our neighborhood from R-1 (Residential) to O-1 (office and institution zone). It is not fair that the recent purchase of one house in the area should change any zoning for any part of the neighborhood.

A main concern is if the zoning is changed and 15 beds for assisted living people are available at this house, there essentially is no place for workers and visitors to park other than in front of nearby private homes. It is also located at the main entrance to our housing area from Lomas and since our neighborhood is so close to Manzano High School we have students walking and driving through the area before and after school which makes for a very congestive area.

If the zoning is changed it will become the end of our beautiful quiet neighborhood as eventually several other homes may also become "businesses." We are a RESIDENTIAL NEIGHBORHOOD, not a neighborhood where a change of zoning should be needed.

Houses for sale in our neighborhood have almost always sold in a short amount of time because of our beautiful area. With zoning changes our property values are sure to go down that is also another big concern of Monterey Manor residents.

Please give serious consideration to our request to not change the zoning in our established neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Wayne Cook Marsha Cook". The signature is written in dark ink and is positioned above the printed names of the signatories.

Wayne and Marsha Cook  
12500 Casa Grande NE  
Albuquerque, NM 87112

James Rawls  
12312 Casa Grande Ave NE  
Albuquerque, NM 87112

July 28, 2016

Vicente M Quevedo  
Planning Dept  
600 2nd St NW 3rd Floor  
PO Box 1293  
Albuquerque, NM 87103

To whom it may concern:

I am writing in regards to Project #1010903 EPC #40030 for the change in zoning on property 12105 Sierra Grande Ave NE Albuquerque, NM 87112. I am not in favor of such change in zoning for several reasons. The change in zoning would not only affect the property value of all of the homes in the area but also how the neighborhood will be viewed by others. We will no longer be known as a family, friendly neighborhood but rather as a retirement community (or any other such community which any potential buyer could change the property to) which limits the potential, future buyers.

The increase in traffic is also a concern. The change in zoning will not only increase the number of cars outside the single property, but also the number of cars driving through our neighborhood. As a parent, I understand the value of living in a low traffic neighborhood. If the zoning were to be passed, children will no longer be able to play outside with the increased concerns for their safety. Additionally, our neighborhood has several families that walk and/or run on a daily basis. We not only have our immediate neighbors that use our area as a place to enjoy morning and evening walks, but also others from surrounding neighborhoods that enjoy our tranquil neighborhood.

Furthermore, if the zoning were to be changed, the current owner of 12105 Sierra Grande Ave NE, would be able to sale the property to a different buyer, who inturn could change the property to an apartment complex or other business. Once again, our property values would deteriorate with such change. Our neighborhood was built for single family homes where people could grow their families for generations, not multi-family homes where turnover is prevalent.

In conclusion, I am wholly against Project #1010903 EPC #40030 for the change in zoning for property, 12105 Sierra Grande Ave NE Albuquerque, NM 87112. I appreciate you taking my concerns as well as the concerns of others into consideration. If you have any additional questions, please feel free to contact me at (505)298-3737.

Best regards,

James Rawls

Harriet L. Gerding  
12212 Sierra Grande NE  
Albuquerque, NM 87112

July 29, 2016

Vicente M. Quevedo  
Planning Dept.  
600 2<sup>nd</sup> St. NW, 3<sup>rd</sup> Floor  
P. O. Box 1293  
Albuquerque, NM 87103

**RE: Project # 1010903 EPC #40030**

Dear Mr. Quevedo:

I am writing you concerning the project shown above. I am very much opposed to this zoning change.

I have lived in Monterey Manor since 1969. It has always been a very nice neighborhood. With the proposed change in zoning, property values would decrease and the charm of this small neighborhood would also be affected. Many of the residents have lived here for a long time. As these people leave, younger families will move in. This can only improve the neighborhood.

I am sure you have received many letters stating all the good reasons for this zoning change to be defeated. I will not reiterate them, but I do agree with them.

The Assisted Living facility that was previous there housed 10 beds. This could continue with no zoning change. We appreciate that this company has purchased the property with plans for improvement. However, I do implore the Environmental Planning Commission to defeat this proposed zoning change. Please leave this charming neighborhood the same as it has been since the 1960s.

Thank you for your consideration.

Sincerely,

  
Harriet L. Gerding

✓ Cc: EPC c/o Kym Dicone



**Quevedo, Vicente M.**

---

**From:** Duane <duanerkoch@aol.com>  
**Sent:** Monday, August 01, 2016 8:15 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Zoning change

Good evening Mr Quevedo

I'm writing you at this late date in regards to the zoning change at 12105 Sierra Grande Ave NE. I am opposed to any zoning change in our neighborhood. This is a residential neighborhood and is zone R-1 for a reason. We were ok with the house as it was before since that is what is allowed by law. We don't need a business being run out of there with employee and visitor traffic. Not to mention nurses that need to come by or oxygen deliveries etc. please put me on your list so I can be at the meeting on the 11th.

I've been a licensed general contractor for 37 years and I looked into buying that house to fix up and upgrade the neighborhood, but it was already sold. I've fixed up and sold a few houses in the area. Each one of those houses sold and increased property values. A zoning change could decrease property values.

Thank you  
Duane and Kathy Koch [duanerkoch@aol.com](mailto:duanerkoch@aol.com)  
12216 Loyola Ave NE

**Quevedo, Vicente M.**

---

**From:** Sally Harrer <harfam09@yahoo.com>  
**Sent:** Wednesday, August 03, 2016 5:50 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Against Rezoning at 12105 Sierra Grande Ave NE

Dear Mr. Quevedo,

I wanted to explain to you my opposition with the rezoning of the property at 12105 Sierra Grande Ave NE. When my wife and I purchased our home at 12409 Sierra Grande Ave NE 38 years ago, we did so believing that we would have a wonderful life in this single zoned (R-1) family neighborhood. I am not opposed to this property staying as a 10 bed assisted living business. However, I am opposed to it becoming a big business zoned as O-1 with a 15 bed maximum. I believe this will negatively impact the neighborhood's property values, increase traffic on Sierra Grande Ave before and after working hours, holidays and weekends, and may encourage future business endeavors in this neighborhood.

Thank you for any consideration on this matter. The investment in my home is a huge part of my financial portfolio. Please help me keep this investment from being negatively impacted and keep our neighborhood as the family neighborhood we bought into.

Sincerely,  
John Harrer  
12409 Sierra Grande Ave NE  
505-573-4069

**Quevedo, Vicente M.**

---

**From:** Sally Harrer <harfam09@yahoo.com>  
**Sent:** Wednesday, August 03, 2016 6:05 PM  
**To:** Quevedo, Vicente M.  
**Subject:** Against rezoning of 12105 Sierra Grande Ave NE

Dear Mr Quevedo,

I am against the request for rezoning of the property on 12105 Sierra Grande Ave NE. This property is already a business in a residential neighborhood. There's no reason to have it become a bigger business in our neighborhood. This rezoning will negatively affect our property values, traffic flow, and noise levels. And of great concern is the possibility of it opening up future business endeavors throughout the neighborhood.

Please consider the feelings of the majority of the people in this neighborhood and help us save our neighborhood from becoming a business center.

Thank You,  
Sally Harrer  
12409 Sierra Grande Ave NE  
505-294-4069

**GEORGE A. DUBOIS**

1005 Casa Grande Ct., NE

ALBUQUERQUE, NEW MEXICO 87112

505-296-5077

August 1, 2016

Planning Department  
City of Albuquerque  
600 2<sup>nd</sup> Street NW. 3<sup>rd</sup> Floor  
P.O. Box 1293  
Albuquerque, NM 87103

Attention: Vincente M. Quevedo

Re: Rezoning Request of High Desert  
Assisted Living, LLC  
12105 Sierra Grande Avenue, NE - Monterey Manor

Dear Mr. Querredo:

As a resident of Monterey Manor, a Subdivision in the Northeast Heights of Albuquerque, I want to fervently object to the rezoning request of High Desert Assisted Living, LLC for the property at 12105 Sierra Grande Avenue, NE., from R-1 to O-1.

Monterey Manor is a high quality residential subdivision consisting of primarily single family dwellings. In addition to the obvious reasons of increased traffic and lack of parking which will flow from a 15-bed assisted living facility, we are also very concerned about other potential uses for the property, if the zoning is changed to the requested O-1.

Although residents of an assisted living facility will presumably not venture out into the neighborhood, visitors to those residents may not have the same respect for our historically very pleasant and conservative life style we now have in Monterey Manor. There is currently available in the City of Albuquerque sufficient appropriately zoned property on which such a 15-bed facility can be built.

We respectfully request that the pending zone change request be denied.

Very truly yours,

  
George A. Dubois

**Koch Construction Co. Inc.**

6131 Edith Blvd NE, Suite C

Albuquerque, NM 87107

(505) 344-2025 • Fax (505) 344-6959

[www.kochconstructionnm.com](http://www.kochconstructionnm.com)

[kochconstruction.nm@gmail.com](mailto:kochconstruction.nm@gmail.com)

*License #18152 Since 1975*



August 12, 2016

Environmental Planning Commission

c/o Kym Dicone

Planning Department

600 2<sup>nd</sup> St NW 3<sup>rd</sup> Floor

Albuquerque, NM 87103

Dear Commission,

My name is Duane Koch and I live at 12216 Loyola Ave NE. We are opposed to a zoning change at 12105 Sierra Grande NE. The property is zoned R-1 for a reason. This is a residential neighborhood. The previous owner of the property in question had a 10 bed facility which worked out ok. This new owner can make plenty of money without changing the zoning to allow a 15 Bed facility. A brand new facility is opening up and is within 1 mile of this property. It is located next to Chelwood Elementary School. That should be sufficient for this area.

This new owner has a history of start up's and then sells them in a short period of time. I have been a licensed General Contractor in the State of New Mexico since 1979. I have flipped a number of homes in the area. I even tried to buy the property in questions, but it was already sold. I would have fixed it up and sold it as a single family home and that would have increased the value of the home and our neighborhood.

Please do not allow this zoning change for the residence of Monterey Manor.

Thank You,

Duane and Kathy Koch

12216 Loyola Ave NE

Albuquerque, NM 87112

I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

1  
JOHN W. DEAN

Print Name:

1234 Canyon Drive Ave

Address:

Albuquerque  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

John W. Dean

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16 08/20/2016

Date:

[Signature] 08/20/2016


Notary:

2  
JEFF R MILLER

Print Name:

12208 CASA GRANDE AV NE

Address:

Albuquerque  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Jeff Miller

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

3  
G. CARMELA ANAYA

Print Name:

1000 Upland Ct. NE ABQ. 87112

Address:

Albuquerque  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

G. Carmela Anaya

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

4  
Carmela Anaya

Print Name:

1000 Upland Ct NE 87112

Address:

Albuquerque  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Carmela Anaya

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016


Notary:

5  
Amy Haas

Print Name:

12512 Loyola Ave. N.E. 87112

Address:

Albuquerque  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Amy Haas

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

6  
Edward Haas  
Print Name:

12512 Loyola Avenue NE, 87112  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Edward Haas  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

7  
Lynda M Martinez  
Print Name:

12104 Sierra Grande Ave NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Lynda M Martinez  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

8  
EMMA JEAN WINTER  
Print Name:

1004 CASA GRANDE PL NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Emma Jean Winter  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

9  
Gina Sanchez  
Print Name:

12200 Sierra Grande Ave NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Gina Sanchez  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

10  
AnnMarie Santana  
Print Name:

12200 Sierra Grande Ave NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

AnnMarie Santana  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

11  
CHARLES W COOK  
Print Name:  
ALBUQUERQUE, NM 87112  
12500 CASA GRANDE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Charles W Cook  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
8/20/16 08/20/2016  
Date:  
Notary:

12  
Sue M Mackey  
Print Name:  
Barb Lough of NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Sue M Mackey  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
8-20-16 08/20/2016  
Date:  
Notary:

13  
michael J mackey  
Print Name:  
12213 LOYOLA AVE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

michael J. mackey  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
8-20-16 08/20/2016  
Date:  
Notary:

14  
GRACE S. LANES  
Print Name:  
1013 CASA GRANDE PL NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Grace S. Lanes  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
08/20/2016  
Date:  
Notary:

15  
Dorothy A. Cooper  
Print Name:  
12313 Sierra Grande Ave NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 03/12/2020

Dorothy A. Cooper  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
08/20/2016  
Date:  
Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

16  
Marlene K Blemel  
Print Name:

12412 Sierra Grande NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Marlene K Blemel  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:

17  
Kenneth G Blemel  
Print Name:

12412 SIERRA GRANDE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Kenneth G Blemel  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/2016 08/20/2016

Date:

Notary:

18  
Bonifacio Roybal  
Print Name:

12112 Sierra Grande NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Bonifacio R Roybal  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:

19  
Anita Roybal  
Print Name:

12112 Sierra Grande NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Anita Roybal  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:

20  
Jesus Lopez Chacon  
Print Name:

1001 Casa Grande Pl NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Jesus Lopez Chacon  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

Shonna Sanders

Print Name:

12508 Loyola AVE. N.E.

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

*[Signature]*

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16 08/20/2016

Date:

Notary:

David Sanders

Print Name:

12508 Loyola Ave NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

*[Signature]*

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08.20.16 08/20/2016

Date:

Notary:

Eleanor Wrobel

Print Name:

12500 Sierra Grande NE

Alb - NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

*[Signature]*

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:

Christopher Dennis

Print Name:

1024 Loyola Pl

Alb - NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

*[Signature]*

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16 08/20/2016

Date:

Notary:

Barbara C Mello

Print Name:

12413 SIERRA Grande Ave NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

*[Signature]*

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

26  
Vicki J. Klammer  
Print Name:  
12501 Sierra Grande  
Albuquerque NM NE

Address:  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020


Vicki J. Klammer  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
08/20/2016  
Date:  
Notary:

27  
Gary D Balbono  
Print Name:  
1020 Casa Grande Pl Albuquerque NM 87112

Address:  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020


Gary D Balbono  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
8-20-16 08/20/2016  
Date:  
Notary:

28  
Jill Baker  
Print Name:  
12405 Loyola Ave NE, Albuq. NM 87112

Address:  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020


Jill Baker  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
08/20/2016  
Date:  
Notary:

29  
JOLLY JOSEPH  
Print Name:  
12404 SIERRA GRANDE NE  
ABQ 87112

Address:  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Jolly Joseph  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
August 20, 2016 08/20/2016  
Date:  
Notary:

30  
Lysle Serna  
Print Name:  
12308 Casa Grande Ave NE  
ABQ 87112

Address:  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Lysle Serna  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,  
8/20/2016 08/20/2016  
Date:  
Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

31

Toni Molina

Print Name:

12609 Loyola Ave NE

ABQ NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Toni W Molina

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

32

Edward Steven Moya

Print Name:

1016 Casa Grande Pl. NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

33

Tiffany D. Martindell

Print Name:

12300 Loyola Ave. NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:

34

John W. Trumbull

Print Name:

1112 ZENA LONA ST NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

35

James Rauls

Print Name:

12312 CASA GRANDE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

36  
Tommy Donham

Print Name:

1012 Casa Grande Pl NE

Albuquerque, NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Tommy Donham  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature]  
Notary:

37  
Russell Morris

Print Name:

1124 Upland Dr NE 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

RW Morris  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature]  
Notary:

38  
Gemma M. Morris

Print Name:

1124 Upland Dr. NE 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Gemma M. Morris  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature]  
Notary:

39  
Judith Moore

Print Name:

1005 Casa Grande Pl NE 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Judith Moore  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

[Signature]  
Notary:

40  
Jennifer Moore

Print Name:

1005 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Jennifer Moore  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16 08/20/2016

Date:

[Signature]  
Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

41  
WALTER HYDE  
Print Name:  
1009 CASA GRANDE PL. NE.  
ALBUQUERQUE, N.M.

Address:  
 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Walter Hyde  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8/20/16 08/20/2016  
Date:  
Notary:

42  
JACK MIELLO  
Print Name:  
12413 SIERRA GRANDE 87112  
Address:

 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8-20-2016 08/20/2016  
Date:  
Notary:

43  
DAVID BARHAM  
Print Name:  
12600 LOYOLA NE 87112  
Address:

 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

David A. Barham  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8/20/2016 08/20/2016  
Date:  
Notary:

44  
Tracy Moya  
Print Name:  
1016 Casa Grande Pl NE  
Address:

 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Tracy Moya  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

08/20/2016 08/20/2016  
Date:  
Notary:

45  
DAVID R. BRADING  
Print Name:  
12617 Loyola Ave NE  
Address:

 OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

David R. Brading  
Signature:  
State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8-20-16 08/20/2016  
Date:  
Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

46  
LACEY BINGHAM

Print Name:

12608 Loyola Ave NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Lacey Bingham

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

47  
RYAN LANTING

Print Name:

1005 Upland Ct NE 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Ryan Lanting

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

48  
Gabrielle Maes

Print Name:

1029 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Gabrielle Maes

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/2016

Date:

[Signature] 08/20/2016

Notary:

49  
DAREN H ANDERSON

Print Name:

1009 Morina Ct NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Daren H Anderson

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16

Date:

[Signature] 08/20/2016

Notary:

50  
Emily Maes

Print Name:

1029 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Emily Maes

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/2016

Date:

[Signature] 08/20/2016

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

Shirley A. Dean

Print Name:

12311 Casa Grande Ave NE  
ABQ, NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

Crystal E. Lopez-Beck

Print Name:

1204 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

Aron D. Beck

Print Name:

1004 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

Debra A Erikson

Print Name:

12305 Casa Grande Ave NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

Renate Manz

Print Name:

1004 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

56  
Mary Charlene Henderson  
Print Name:

12411 Casa Grande Ave NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

M. Charlene Henderson  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

57  
Sharon Lanting  
Print Name:

1005 UPLAND CT NE  
Address: 87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Sharon Lanting  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

58  
AL LANTING  
Print Name:

1005 UPLAND CT NE  
Address: 87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Al Lanting  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

59  
KATIE THOMAS  
Print Name:

12604 Loyola AVE N.E  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Katie Thomas  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

60  
Willie C. THOMAS  
Print Name:

12604 Loyola AVE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Willie C. Thomas  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

61  
KRISHNA KANDATH  
Print Name:

12400 CASA GRANDE AVE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016  
Date:

[Signature] 08/20/2016  
Notary:

62  
Dana Grover  
Print Name:

12412 Casa Grande Ave NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016  
Date:

[Signature] 08/20/2016  
Notary:

63  
ARON D. BECK  
Print Name:

1024 CASA GRANDE PL NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016  
Date:

[Signature] 08/20/2016  
Notary:

64  
Deji Hamilton  
Print Name:

1017 Casa Grande PL NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016  
Date:

[Signature] 08/20/2016  
Notary:

65  
David A. Hamilton  
Print Name:

1017 Casa Grande PL NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016  
Date:

[Signature] 08/20/2016  
Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

Print Name:

~~ARLAEN DUBOIS~~

~~Address: 1005 Casa Grande NE  
ALB. NM 87112~~



~~OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires:~~

~~Signature:~~

~~State of New Mexico - County of Bernalillo  
Signed or Attested before me on,~~

~~Date:~~

~~Notary:~~

64  
Print Name:

ARLAEN DUBOIS  
1005 CASA GRANDE NE  
ALB. NM 87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

Date:

Notary:

67  
Print Name:

John D. Hudson Jr  
12621 Loyola Ave NE ALB NM  
87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

Date:

Notary:

68  
Print Name:

Jeffrey S. Wade  
12417 Mountain Rd. NE 87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

Date:

Notary:

69  
Print Name:

JERRY D. SENA  
12305 SIERRA GRANDE NE  
ALB NM  
87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

Sammy T. Maes

Print Name:

1029 Casa Grande Pl. NE

Address:

Albq. N.M.



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 3/12/2020

Sammy T. Maes

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16

08/20/2016

Date:

Notary:

Nelson T. Budd

Print Name:

12504 Sierra Grande NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Nelson T. Budd

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16

08/20/2016

Date:

Notary:

Donald Sanchez

Print Name:

12200 Sierra Grande

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Donald Sanchez

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16

08/20/2016

Date:

Notary:

ROBERT THOMPSON

Print Name:

12500 LOYLANE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Robert J. Thompson

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/2016

08/20/2016

Date:

Notary:

SHAND K PARKS

Print Name:

1112 UPLAND DR. NE, 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Shana Parks

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16

08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

75  
Cindy Maya

Print Name:

1016 Casa Grande Pl NE

Address: Albuq, NM 87112



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Cindy Maya

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

76  
Ramela Hamilton

Print Name:

1017 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Ramela Hamilton

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

77  
Yvette M. Baldonado

Print Name:

1020 Casa Grande Pl NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Yvette M. Baldonado

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

[Signature] 08/20/2016

Notary:

78  
Marti Finsterwalder

Print Name:

1005 Morina Ct NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Marti Finsterwalder

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16 08/20/2016

Date:

[Signature] 08/20/2016

Notary:

79  
Jack Finsterwalder

Print Name:

1005 Morina Ct NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Jack Finsterwalder

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-16 08/20/2016

Date:

[Signature] 08/20/2016

Notary:

I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

80  
Ray Tilley

Print Name:

12212 Casa Grande Ave NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

ABQ  
87112-  
5808

Ray Tilley

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

81  
DANIEL E. YODER

Print Name:

12512 SIERRA GRANDE NE

ABQ NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Daniel E Yoder

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

82  
Phyllis C. Dennis

Print Name:

1024 Loyola St. NE

Albuquerque, NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Phyllis C Dennis

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

83  
Patricia Carnahan

Print Name:

Albuquerque

1008 Casa Grande Ct. NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Patricia Carnahan

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

~~Jill A. Baker~~

Print Name:

~~12405 Loyola Ave NE, Albuquerque, NM 87112~~

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires:

~~Jill A Baker~~

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

84  
Robert Marquez  
Print Name:

12309 Sierra Grande NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Robert Marquez  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/16 08/20/2016  
Date:

Notary:

85  
Frank Montoya  
Print Name:

12504 CASA Grande NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Frank Montoya  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016  
Date:

Notary:

86  
MELINDA MONTAYA  
Print Name:

12504 CASA GRANDE AVE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Melinda Montoya  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016  
Date:

Notary:

87  
Sally Harner  
Print Name:

12409 Sierra Grande NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Sally Harner  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016  
Date:

Notary:

88  
John T. HARRER  
Print Name:

12409 SIERRA GRANDE NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

John T. Harner  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016  
Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

89  
Marsha M. Cook

Print Name:

Web. 87112

12500 Casa Grande NE

Address:



My commission expires: 03/12/2020

Marsha M. Cook

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/20/2016

Date:

Notary:

~~Nancy C Finley~~

Print Name:

~~12305 Loyola~~

Address:

~~Nancy C Finley~~

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

90  
Nancy C Finley

Print Name:

12305 Loyola

Address:



My commission expires: 03/12/2020

Nancy C Finley

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-2016 08/20/2016

Date:

Notary:

91  
GARY L Finley

Print Name:

12305 Loyola NE

Address:



My commission expires: 03/12/2020

Gary L Finley

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-20-2016 08/20/2016

Date:

Notary:

92  
Tiffany Rawls

Print Name:

12312 Casa Grande Ave NE

Address:



My commission expires: 03/12/2020

Tiffany Rawls

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8/20/16 08/20/2016

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

93  
Florence A Breeding  
Print Name:

12617 Loyola Avenue  
Address: 81117



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

MM, Jan 9, Bury  
Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8-20-16 08/20/2016  
Date:

Notary: [Signature]

94  
KEN KLAMMER  
Print Name:

12501 SIERRA GRANDE NE.  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

08/20/2016  
Date:

Notary: [Signature]

95  
Ann Elizabeth Dow  
Print Name:

1004 MORINACT NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Ann Elizabeth Dow  
Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8-20-16 08/20/2016  
Date:

Notary: [Signature]

96  
JAMES W. DOW  
Print Name:

1004 MORINA CT NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

James W. Dow  
Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8/20/16 08/20/2016  
Date:

Notary: [Signature]

97  
Adina Maes  
Print Name:

1029 Casa Grande Pl. NE  
Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Adina Maes  
Signature:

State of New Mexico - County of Bernalillo  
Signed or Attested before me on,

8/20/2016 08/20/2016  
Date:

Notary: [Signature]



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

98  
Hien Nguyen

Print Name:

12408 Sierra Grande Hwy

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: *Hien Nguyen*

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

99  
LORI BACA

Print Name:

1009 Casa Grande Ct NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: *Lori Baca*

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

100  
Kyle Gonzales

Print Name:

1009 Casa Grande Ct NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: *Kyle Gonzales*

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

101  
Duane Koch

Print Name:

12216 Loyola Ave N.E.

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: *Duane Koch*

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:

102  
Kathy Koch

Print Name:

12216 Loyola Ave NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: *Kathy Koch*

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

Date:

Notary:



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

103  
CHARLES A INKEY  
Print Name:

12401 LOYOLA AVE NE ABQ NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: CAWif

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

Notary: [Signature]

104  
Lynne McLaughlin  
Print Name:

12301 Loyola Ave

Albuquerque NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: Lynne McLaughlin

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2014

Date:

Notary: [Signature]

105  
David M. Wesner  
Print Name:

12301 Loyola Ave NE ABQ NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: [Signature]

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

Notary: [Signature]

106  
Ann Larranaga  
Print Name:

12311 Sierra Grande NE  
Albu. NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2016

Signature: Ann Larranaga

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

Notary: [Signature]

107  
Percy Larranaga  
Print Name:

12311 Sierra Grande NE  
Alb. N.M.

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature: Percy Larranaga

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

03/12/2016

Date:

Notary: [Signature]



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

108  
JUAN DIEGO SORACE

Print Name:

12308 Casa Grande Ave NE  
Alb NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature: [Signature]

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/24/2016

Date:

08/24/2016

Notary: [Signature]

~~Print Name:~~

~~Address:~~

~~My commission expires:~~

~~OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO~~



~~Signature:~~

~~State of New Mexico - County of Bernalillo~~

~~Signed or Attested before me on,~~

~~Date:~~

~~Notary:~~

109  
GETA A. GATTERMAN

Print Name:

12115 Casa Grande Ave NE Albuquerque NM  
87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature: [Signature]

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/24/2016

Date:

Notary: [Signature]

110  
Walter D. Chadwick

Print Name:

12509 Loyola NE

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature: [Signature]

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/24/2016

Date:

Notary: [Signature]

111  
RICHARD TAYLOR

Print Name:

1009 UPLAND CT N.E.

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 03/12/2020

Signature: [Signature]

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/24/2016

Date:

Notary: [Signature]



I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

112  
Don C. Martindell

Print Name:

12300 Loyola Ave NE  
ALB, NM. 87112

Address:



OFFICIAL SEAL  
ANN LARRANAGA  
NOTARY PUBLIC - STATE OF NEW MEXICO  
My Commission Expires: Aug. 07, 2017

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

8-28-16

Date:

[Signature]  
Notary:

113  
Harriet L. Gerding

Print Name:

12212 Sierra Grande NE  
Alb. nm 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO  
My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

[Signature]  
Notary:

114  
Eric O. Oliver

Print Name:

12301 Sierra Grande Ave. NE  
Albuquerque, NM 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO  
My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

[Signature]  
Notary:

115  
Christine Spicer

Print Name:

12301 Sierra Grande NE Ave NE  
87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO  
My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

[Signature]  
Notary:

116  
Jan M. Larranaga

Print Name:

Albug. nm. 87112  
12408 Loyola Ave. NE 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO  
My commission expires: 03/12/2020

[Signature]  
Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016

Date:

[Signature]  
Notary:

I am opposed to the zoning change at 12105 Sierra Grande Avenue NE  
Albuquerque, New Mexico 87112 from R - 1 to O - 1.

117  
Mark Larranaga

Print Name:

12408 Loyola Ave. NE  
Alb. N.M. 87112

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016  
Date:

Notary:

~~Print Name:~~

~~Address:~~

~~OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO~~



~~Signature:~~

~~State of New Mexico - County of Bernalillo~~

~~Signed or Attested before me on,~~

~~Date:~~

~~Notary:~~

118  
Julian R. Cordova

Print Name:

17504 Loyola Ave

Address:



OFFICIAL SEAL  
D.C. Martindell  
NOTARY PUBLIC STATE OF NEW MEXICO

My commission expires: 03/12/2020

Signature:

State of New Mexico - County of Bernalillo

Signed or Attested before me on,

08/28/2016  
Date:

Notary:

~~Print Name:~~

~~Address:~~

~~Signature:~~

~~State of New Mexico - County of Bernalillo~~

~~Signed or Attested before me on,~~

~~Date:~~

~~Notary:~~

~~Print Name:~~

~~Address:~~

~~Signature:~~

~~State of New Mexico - County of Bernalillo~~


~~Signed or Attested before me on,~~

~~Date:~~

~~Notary:~~



11 9  
I am opposed to the zoning change at 12105 Sierra Grande NE, Albuquerque NM, 87112  
from R-1 to O-1.

  
Audrey Fisher  
12509 Sierra Grande NE  
Albuquerque NM 87112

State of New Mexico County of Bernalillo  
The foregoing instrument was acknowledged before  
me this 24th day of Aug., 2016  
by Audrey Fisher  
Caron Cox  
Notary Name Here, Notary Public  
My Commission Expires 11-18-2017

To: Environmental Planning Commission

From: Jeff Miller, 12208 Casa Grande Av. N.E.

Albuquerque, New Mexico 87112

Subject: Zoning change request for project # 1010903

I am opposed to the request for zoning change project #1010903

I purchased my home in 1994 with the clear expectation of living in a residential neighborhood in an upscale area of the northeast heights. My expectation was based on existing neighborhood covenants.

A zoning change to the residence at 12105 Sierra Grande N.E. would change the fundamental nature of the entire neighborhood. Due the fact that the residence in question is the first home seen upon entering our quiet neighborhood from the west end (Juan Tabo), and is an iconic home, as only three points of entry exist. Never did I imagine, an O-1 Zoning change would ever take place in the Monterey Manor Subdivision! My decision to purchase a home in this subdivision was largely based on the restrictive covenants that clearly state, all homes are intended for use as single family dwellings.

In the protective covenants, for Blocks A,B,C,D,E & F of Monterey Manor Subdivision (D-708/93) an ADDITION to the city of Albuquerque, New Mexico, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 15, 1963, clearly stated are these restrictions along with many others:

LAND USE AND BUILDING TYPES: No lot shall be used except for residential purposes.

Also filed for clarification on 8/28/63 at book 708, Page 93 in the office of the County Clerk, Bernalillo County, New Mexico;

NOW, Therefore and for the purpose of clarifying ANY POSSIBLE MISUNDERSTANDING which might arise from said protective covenants, in a supplemental protective covenant for Monterey Manor, filed on August 28<sup>th</sup>, 1963 it clearly states: that the Protective covenants do not and were never intended to cover any part of or all of the following described property: Tracts 1,2,3,4,5,6,7,8,9, and 10 of Monterey Manor Subdivision. (These areas are surrounding commercial properties.)

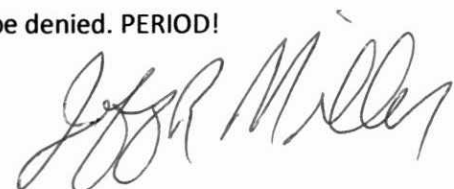
#### PART A- SINGLE FAMILY DETACHED DWELLINGS

under AREA COVENANTS A-1

for blocks A,B,C,D,E,F of Monterey Manor Subdivision, an addition to the city of Albuquerque, New Mexico

LAND USES AND BUILDING TYPES: No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half (2 ½) stories in height.

Based on these existing covenants, the request for the change in Zoning MUST be denied. PERIOD!



PROTECTIVE COVENANTS  
for  
Blocks A, B, C, D, E & F  
of MONTEREY MANOR SUBDIVISION  
(D-708/93)

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, the undersigned, SWEARINGEN HOMES, INC. is the owner of all legal and equitable interest in certain lands situated in Bernalillo County, New Mexico, described as:

Blocks A, B, C, D, E & F of MONTEREY MANOR SUBDIVISION, an ADDITION to the City of Albuquerque, New Mexico, as the same are shown and designated on the plat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 15, 1963.

AND WHEREAS, the parties hereto desire to restrict and impose certain protective covenants on the above described property owned by them.

NOW, THEREFORE, in consideration of the foregoing and other valuable considerations, the undersigned, being all of the owners of all the legal and equitable interests in and to said described land, do hereby create and establish the following protective and restrictive covenants for land, to-wit:

PART A - SINGLE FAMILY DETACHED DWELLINGS

AREA COVENANTS

A-1

LAND USE AND BUILDING TYPES: No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half (2½) stories in height. No building shall have a roof with a pitch of less than 2 inches rise for each 12 inches of roof and no building shall have a roof overhang of less than 12 inches.

A-2

ARCHITECTURAL CONTROL: No building shall be erected, placed, altered or added to on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to the quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation.

A-3

DWELLING COST, QUALITY AND SIZE: No dwelling shall be permitted on any lot at a cost of less than \$12,000.00, based on cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials

To: Albuquerque Environmental Planning Commission

From: Jeff Miller

Date: 9/9/16

Subject: Project 1010903

After two deferred meetings regarding Project 1010903 it is quite apparent Mr. Dale Hensel is employing stall tactics. I feel it is important to inform the EPC that the "Monterey Manor" neighborhood is a self reliant R-1 neighborhood which has no officially city recognized association. With 130 homes in our neighborhood, we feel a great pride in our ability to communicate with our neighbors and the willingness of our residents to maintain our own "secret garden" known best as the area just east of Paul's Monterey Inn.

As demonstrated by over 100 notarized signatures on the petition opposing the zone change request for project 1010903 at 12105 Sierra Grande N.E. Lot A, Block B. In times of need, these neighbors pull together to protect their area.

The residents in the Monterey Manor Neighborhood enjoy morning and evening walks through the area. If approved, the added traffic which this zone change would create, only contributes negatively to the overall serenity of our neighborhood.

As the commissioners of the EPC, I am sure your concerns for the overall betterment of Albuquerque are your greatest concern. With approximately 70% of the residents in Monterey Manor taking the time to sign a petition and send hand written and electronic letters to you opposing this request, we hope you recognize our desire to stop this zone change request.

It is certainly a short term investment by Mr. Dale Hensel. He calls himself a "Serial Entrepreneur". As evidenced by the seemingly poor project management and overall low cost labor who works on national holidays, I wonder how important the turnaround time on this renovation is to Mr. Hensel. He has started work on the residence without approval by the EPC using a commercial construction permit.

One example of this apparent poor project management would be the roof replacement. Any reputable roofing company would have completed this roof replacement in 3 to 5 days. The three man crew Mr. Hensel hired worked three days just to remove the existing shingles. The structure is now covered in blue plastic to protect it from the elements. This seems to be a hobby investment for him with a huge potential return for him, and him alone.

The majority of our neighborhood residents ask that this project 1010903 with the address of 12105 Sierra Grande N.E. 87112, remain now and forever, an R-1 zone designation.

We all purchased our homes fully expecting the entire neighborhood to be designated R-1 as stipulated in the FIRST paragraph of the neighborhood covenants.

Thank you all for your attention to this matter

A handwritten signature in dark ink, appearing to read "Jeff Miller", is written over the typed name.



To: Environmental Planning Commission

My letter is in reference to the property located on the NE corner of Casa Grande Ave & Sierra Grande, but located very close to the dead end intersection of Casa Grande Place.

Since we've been here for 25 years there has not been a problem with too much traffic or Lack of Parking, when rated R-1 (Residential)

\* I oppose the O-1 (Office & Institution zone). It will ruin the Monterey Manor Subdivision, in more ways than one. It could cause the sales of our homes to go way down.

We all moved here because of a safe residence to live and neighborhood to live in. You bring in more people & they look the area over & with this day & age you're asking for more trouble. We want to keep our neighborhood safe.

Thank you,

Norma A. Peterson  
1025 Casa Grande Pl NE  
Albuquerque 87112

Project #10109103

Dear Environmental Planning Commission,

We found this podcast online and contents lead us to believe that Mr. Hensel plans to get the zoning change and then flip the property. He is a short term investor not a neighbor in our community. This show that he is in it for the money and I think the EPC wants the betterment of all of Albuquerque and it's best interest. This change is not it.

Our area is a close knit community and we do not mind an assisted living facility with a R-1 zoning like all the other houses but strongly oppose a zone change to O-1 in our residential neighborhood.

Thank you,  
Monterey Manor Neighbors

**Podcast Interview November 2015**  
**Interviewer-DAN    Our Opponent and Podcast Guest-DALE HENSEL**  
**Highlighted Excerpts from Podcast**

Pg 1    **DAN** I have the privilege of bringing you a serial entrepreneur

Pg 2    **DALE** I've been a serial entrepreneur since about 1991

Pg 2    I started buying up non-performing mortgages, didn't know what I was doing but didn't stop me from doing it and that was so lucrative that I ended up taking that company public and ended up raising quite a bit of money on the stock market from private investors and I was buying, in bulk, non-performing mortgages from banks, directly.

In about 2007 I think we reached a nice heavy duty clip of about 300 houses per week, all over the country. And it was probably an average of about 25 cents on a dollar, so I was buying a lot of real estate really cheap. In 2007 I sold my position to a hedge fund, took a few years off

Pg 2    I like suing banks. And the other one is we're buying assisted living facilities where we'll buy say a single family house and we'll put a bunch of senior citizens in there

Pg 3    **DALE** A serial entrepreneur starts to think of, I know I have a 3-5 year attention span so I have 3-5 years to build up, scale up and then sell off the company

Pg 3    So the difference between an entrepreneur who says I'm trying to solve a problem and a serial entrepreneur who says I'm trying to solve a series of problems through time in multiple industries and get out of the way or sell the business

Pg 6    **DALE** how big can I scale this up to?

Pg 6    how fast can we do that?

Pg 6    So, I always look at it as how fast can I get out of it? How fast can I fire myself? That's like one of my primary focuses because I'm a serial entrepreneur, I know I have a period of time where I'm really focused and then I'll get distracted so I always ask, what's the fastest route for me to fire myself out of this business

Pg 6    And so I really look at it and say, how fast can I fire myself? How fast can I automate this into income instead of a job?

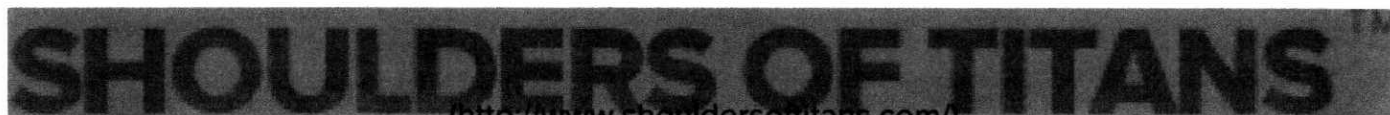
Pg 7    **DALE** I love the human animal because it's so predictable.

Pg 15   **DALE** I explained it to somebody really simply. They said tell me about the system I said here's the really simple numbers – we buy a \$300,000 house, we put ten beds in it, we put ten people in those ten beds, they pay \$4000 per bed per month. That means we collect \$40,000 a month and half of it goes to expenses that's paying the food, the people, everything else – so I said, we make about \$18-20,000 a month net on a \$300,000 investment. Is that OK for you or not? And they're like, well what happens if you can't get customers?

I go, these are old people. Old people do not go out of style. Getting old never goes out of style. It happens to everybody. We will have customers forever. And they're like, I'm in! Right, like holy crap.

Pg 23   **DALE** An example is OK we're doing these assisted living facilities – because they've got such a good cash flow that we would build them up, and then we would go do a bond where we would lock up the cash flow and the property but we'd be able to pull out a lot more cash on a bond market doing that than somebody would be able to getting a loan from a bank. So, you know, so I know how we can go to the bond market and we do a registration and we pay attorneys fees but then what we do is say, hey look we're gonna do all this stuff and pay all these fees – literally we could buy about ten facilities for \$4 million and we're looking at a 7 percent bond with the cash flow that it would have we could pull out almost \$32 million. Well, that means that you'd be able to pay off all of your underlying original investment and still have that much left for like tax free income. That's tax free because it's a loan instead of a sale. And then 25 years later you get all that back.

Free Exclusive Video Interview - Meet The \$360-Million Dollar Man (<http://www.shouldersoftitans.com/trump-interview/>)



(<http://www.shouldersoftitans.com/>)



(<http://subscribeonandroid.com/www.shouldersoftitans.com/feed/podcast/>)



(<http://shouldersoftitans.com/itunes>)



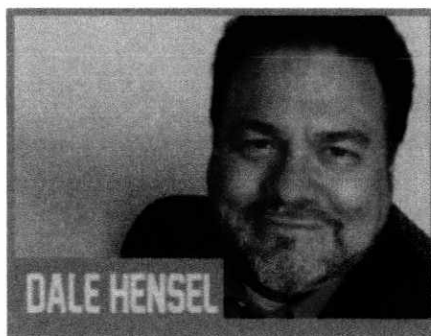
(<https://soundcloud.com/shouldersoftitans>)



(<https://www.spreaker.com/show/shoulders-of-titans>)



(<http://www.shouldersoftitans.com/feed/podcast/>)



## Transcript of Interview with Dale Hensel

### Introduction

**Dan:** Welcome to another episode of Shoulders of Titans. This is Dan Lok and today I have the privilege of bringing you a **serial entrepreneur**, a dealmaker and negotiator who has raised over \$100 million dollars in the last fifteen years, a CEO with experience running a public company and also an inspiring leader who excels at creating big picture ideas and bringing them to fruition. Dale, welcome to the show!

**Dale:** Thanks, how are you doing?

**Dan:** I'm good, welcome man!

**Dale:** Yeah, I'm glad to be here – I'm wearing shorts in New Mexico today. It's awesome, it's beautiful, it's just before Thanksgiving. It's great, thanks for having me on – this is a blast.



2

**Dan:** Now you're just trying to make me jealous in Vancouver we're freezing our asses off here. So Dale, before we jump into it maybe tell us a little bit about your background and how you got into what you do today.

## BACKGROUND

**Dale:** Sure, I've been a serial entrepreneur since about 1991. I really kind of suck at being an employee so I fired myself as fast as possible and just didn't go back. My very first business was actually up in Alaska picking sea cucumbers and abalone off the bottom of the ocean and selling them to the Japanese. And I rented a boat, I hired some people, I went out and learned how to scuba dive because I didn't know how so I just went out and did that. That was my very first business. And it was a lot of fun. And after that I realized I just couldn't go back to being an employee; so over the next several years I went through buying apartment complexes, I bought up about 250 apartments over a 2.5 year time frame – I started with no money, didn't know what the hell I was doing but it didn't stop me from doing it and then I moved to Dallas, I started buying up non-performing mortgages, didn't know what I was doing but didn't stop me from doing it and that was so lucrative that I ended up taking that company public and ended up raising quite a bit of money on the stock market from private investors and I was buying, in bulk, non-performing mortgages from banks, directly.

In about 2007 I think we reached a nice heavy duty clip of about 300 houses per week, all over the country. And it was probably an average of about 25 cents on a dollar, so I was buying a lot of real estate really cheap. In 2007 I sold my position to a hedge fund, took a few years off, I tried to retire, I really suck at retiring too I found. So after quitting retirement, about in 2011, we started another online company, we sell online products – health and beauty for women, skin creams and nutraceuticals. We sell it in Canada, Australia, US, New Zealand. We probably do about \$40 million a year, I think that's what we're on track to do this year and you know, that was something we built from 2011 to now. And just this last year we started two more companies back in the real estate game because I haven't been in that for a while. One where we're buying houses, very, very cheap and then suing banks, which is, I don't know – I like suing banks. And the other one is we're buying assisted living facilities where we'll buy say a single family house and we'll put a bunch of senior citizens in there where we take care of them and we do that. So those two we just started this year and they're both doing really well.

So, I probably started and run about fifteen different businesses, raised a little over \$100 million over the last, you know, fifteen or so years like you mentioned and I'm always looking for deals to invest in or do or I just don't think small. Everything I do



I want to build up really big, really fast and as quickly as possible – and it's just because it's fun and I don't think it's impossible. So, does that make sense?

## SERIAL VS TYPICAL ENTREPRENEURS

**Dan:** That's awesome. I have so many questions, even through that story. So, let's take a step back. So in the beginning you have always been entrepreneurial – let's talk a little bit about serial entrepreneur versus a typical entrepreneur. What do you think is the difference?

**Dale:** So the primary difference to me is that a serial entrepreneur knows he's ADD and he's going to get bored, OK? A serial entrepreneur knows that he's going to get into a business, maximize what he can, so that he can – so that when he gets to the point of bored that he doesn't just crash the business – because I've done that a number of times – and just walk away and go fuck it, I want to do something different. A serial entrepreneur starts to think of, I know I have a 3-5 year attention span so I have 3-5 years to build up, scale up and then sell off the company or I'm gonna get bored, walk away and it's gonna self-sabotage and crumble into dust and all that work goes away. So the difference between an entrepreneur who says I'm trying to solve a problem and a serial entrepreneur who says I'm trying to solve a series of problems through time in multiple industries and get out of the way or sell the business – that's pretty much the biggest difference between the two, in my experience.

**Dan:** Now Dale, do you believe – because I'm a serial entrepreneur – and I believe that it's kind of not for everyone. What's your point of view?

**Dale:** So, first of all, entrepreneurialism is not for everyone.

**Dan:** Amen.

**Dale:** Absolutely. People come to me and say, I wanna be an entrepreneur. I say, are you willing to you know lay at night awake, crying because you don't have enough money to pay payroll next week? Are you willing to put yourself out there and be stressed out and totally screw up yours and other people's lives? If you're not willing to do that or you're not willing to take that risk, probably not for you. But, on the other side of that is – are you willing to solve a problem no matter what it takes? Are you willing to tackle things and embrace all that comes, the good lessons and the bad? Are you willing to, you know, see the fruits of your labor multiplied later? If you're willing to do that then almost all the problems that you could have as an entrepreneur are immaterial. If you're not willing to deal with the absolute worst thing which is usually, you know, how am I going to make payroll

and not disappoint my friends, family and investors – if you can't deal with the worst, then you really don't need to try to do that to try to achieve some of the best aspects of being an entrepreneur.

So I tell people it's a lot more work than a job. It's a lot more risk. But it's also so much more rewarding, it's just so much cooler and fuck it, it's just worth it. To me, it's worth it. Every day.

**Dan:** Not for everyone, but it's worth it.

**Dale:** Abso-fucking-lutely. Those who are ready for it, it's worth it.

**Dan:** That's awesome. So, would you say that as a serial entrepreneur that the skill set is a little bit different from the typical entrepreneur that requires some additional skill sets – because some people, they cannot focus, they believe they jump from one thing to another, you know how it is – they think that's a serial entrepreneur but that's not what we're talking about.

**Dale:** No, no, no – it's completely different. That's just fucking ADD. And so you have to learn to either control that or whatever. Serial entrepreneurs really, you have to have a skill set that is industry or business agnostic and you really have to look at, what is the skill set that I can take from business to business to business regardless of what the business is and it's a useful skill set. And, almost everything else, you know the industry-specific knowledge you have to acquire within an industry, or within a business – you can get that within a short period of time by hiring the right people, or interacting with the right people, or just doing it for a little while. But really, it's not about the industry-specific information, it's really more about what skill sets do you have that are industry-agnostic that can be ported across a dozen different industries or businesses? That's the skill set of a serial entrepreneur and a real good serial entrepreneur says, what am I developing of my skill sets that can be carried over and over and over? Instead of, I'm learning how to do this one skill set consistently, super well, period.

The best example I can give you is somebody who comes in and says, I know SEO really, really, really well and I go, well that's good for, you know, a handful of businesses and industries but you can't port that to other deals. They say, well I spent all this time learning it – I go, great. Good for you, but you could've hired that out. Instead, if you had spent the time communicating or understanding how to find a nexus or how to live within an ecosystem of whatever industry you go into or how to master communications within groups of people like investors, or

customers, that is a portable skill set. Serial entrepreneurs I think have portable skill sets and regular entrepreneurs, they develop skill sets that are very, very deep, ingrained in the one industry or business they're currently in.

**Dan:** So, a serial entrepreneur is more of a generalist that we kind of know a little bit of a lot – or, we know a lot actually. We have different skill sets, like you said, maybe it's raising capital, maybe it's deal making, maybe it's marketing, maybe it's internet marketing; but we know a lot of different skills and we kind of borrow best practices from different industries.

**Dale:** Yeah, exactly. Portable skills are really what define a successful serial entrepreneur person as opposed to just a regular entrepreneur.

## **MOST IMPORTANT SKILLS FOR SERIAL ENTREPRENEURS**

**Dan:** Fantastic. So what do you think are some of the most important portable skills of a serial entrepreneur?

**Dale:** OK, I actually write this list out and hand it out to people who ask me this a lot, when they go- what should I do if I want to do X? OK so the most, some of the most portable, you have to have- I flunked math, I did terrible at it so I had to go back and teach myself math in spite of the fact that I sucked at it. The fact that I sucked at math is math is not an excuse that I could carry with me. I just had to get rid of that excuse so I taught myself math. You have to have a good, fundamental understanding of math. You have to have a very good understanding of the time value of money and just basic finance stuff. You have to have a fundamental understanding of some of the tools you have to use such as Excel. You have to have an exceptionally good ability to communicate to individuals and groups and you have to have the willingness – you have to have a serious level of self mastery of your emotions. If you get all wound up or scared or whatever in these deals and you cannot move forward, that just like kills everything before you even start. So self mastery, you have to start with self mastery I think and say, alright I need to be able to sit in a meeting where somebody is yelling at me, where they have a lot of critique about me, where they don't like me, where they're mad, where people are pissed off and deal with it like an adult the best way you possibly can for everyone involved.

And you have- that requires a certain level of self mastery of your emotions and I think that's where you start. You know, and the rest of it is a lot of like basic skills. A lot of it is fundamentals like management 101. You don't have to be like best manager but you have to know how to manage people at some level. You have to learn how to understand the ecosystem you exist in. You have to understand, well



am I on the supply side or the demand side of a business? You have to understand, like I said, accounting and finance. So those are like fundamental skills. You have those, you can start moving across industries pretty well. You don't have some of those fundamentals, you're gonna find a lot of struggle going from industry to industry.

## HOW TO CHOOSE A SECTOR TO INVEST IN

**Dan:** Now Dale what industry would interest you? Like, how do you analyze a deal? How do you decide what sector you want to get into?

**Dale:** So, let me give you an example of – I like to do – let me give you the last three businesses. The online business which we sell online products, we analyzed – I looked at it and said, how big can I scale this up to? And it was pretty sizable. And then I said, how fast could I automate it and get it off of my plate so I don't have to do every single piece of it? That was pretty fast. And so by looking at it and saying, wow the manufacturing, the marketing, the funnel, the technology, the customer service, the drop shipping and the customer acquisition can all be automated and then it becomes management at a financial reporting level. And I said, how fast can we do that? And it was pretty quick. So we decided to get into it and we scaled up pretty fast as a result. So, I always look at it as how fast can I get out of it? How fast can I fire myself? That's like one of my primary focuses because I'm a serial entrepreneur, I know I have a period of time where I'm really focused and then I'll get distracted so I always ask, what's the fastest route for me to fire myself out of this business so that I'm just an owner and a analytical report, financial reporting, looking owner and not an operating owner. I mean so that's one of my primary drivers is that criteria right there and once I understand that, then I look at efficiency and capital use and I look at how fast I can grow this and what access do I have to the resources needed to grow it and then I can make my decision, but those are all criteria that are all second or tertiary compared to the first one. And so I really look at it and say, how fast can I fire myself? How fast can I automate this into income instead of a job?

**Dan:** So Dale, once you scale it and it's your strategy either to exit or maybe bring in professional management so you can move on to something else.

**Dale:** Yeah, I like to bring in professional management or train from within. I love to mentor from somebody within the ranks and say, hey listen your job is to become CEO of this company, so you better stop sucking and you better start, you know, kicking ass and if you do, you have an opportunity to become CEO of this company because I don't want to be this for long.

## STRUCTURE OF DEALS

**Dan:** I see. And how do you usually structure those types of deals? Let's say you promote from within, the guy makes CEO, do you do profit sharing? Do you give him equity? Or just a salary? How do you usually work?

**Dale:** OK, so here's the human animal. I love the human animal because it's so predictable. The human animal wants to do something for itself; once it achieves a certain level of homeostasis where it's like OK, I make enough money so I'm not starving every month, maybe I don't have all the toys I want but I'm not starving and things are taken care of, my house payment, my car payment is taken care of; they want to do something greater after that, right? So I try to get them up to that point where they're like, OK just below comfortable but then I say, here's your stretch goals, here's your "really want to try it" goals. And I always put up equity as an opportunity, but I never give it to them on day one and here's why: people get disinterested, divorce happens, something else happens and they go away and they take that equity with them and it becomes very expensive to either claw it back, or whatever.

So, I always structure it like this, this is my rule of thumb, doesn't work every single time but it works pretty well. What I do, is I usually do a three year vesting period like Dan, you're going to run my company, you're going to become the CEO starting today. Here's your salary and you are going to- you have an opportunity to earn 30-35 percent ownership in this company, but it's gonna be on a vesting schedule so the first year you can earn up to ten percent but you have to stay a year extra to get it. Then the next year you earn ten percent then you stay another year then you get it. So, at year four and five, they usually have the full amount invested in them but I've got an even better asset than they do, them! Because they're in, they're bought in, they spent all that time doing it and they've grown it to the point where they're more or less they are running it and I'm not.

But, you know, I don't mind sharing a piece of the pie because, Jesus, I have enough pies to hand out that it's OK. So, that's usually how I do it is just like a vesting schedule where you earn it for the year and then you have to stay the next year to get it. So if you stay one year, you've earned X percent and then so you've earned it, you receive it at the end of the second year. Does that make sense? So it's always yearly.

## MANAGING CEO'S

**Dan:** That makes sense. So then how do you manage the CEO? How often do you communicate with them and how do you mentor them?

**Dale:** The other day I was talking to one of them, the CEO for the assisted living, she's 28. Very bright girl. She was having some issues from her very lowest level employees and she was telling me about them and then she had her mid-level management was giving her some headache too and I said OK, listen to what you're saying and how they're saying it and how you approach it. You are seeing a reflection of how you're managing at the top level, all the way down to the bottom and you're getting this feedback, do you see this? And I was able to, you know, very gently point this out to her, she was like, yeah I kind of see what I do, these people do too and I said right, so I gave her two or three different possibilities. I gave her a couple suggestions on if you say this, or if you give a person an opportunity to see where they could grow past this behavior, where they could improve this behavior, then what you have is a very, very good communication with the base people and I said go to your manager who's managing these lowest level employees and say, listen your communication style is affecting how they're communicating about you and so let's examine it, in a way that's non-threatening and you're not trying to say, you suck – you're saying, listen you have a behavior and you have a communication style that's not the most effective in this context so let's explore that.

And what you do is you make it easy and you lean back and say, so here's a better way to try it and experiment. So, I let people fail all the time and I want them to fail because failing – and I give them the room to fail – by failing, they are very quickly going, wow I learned not to do that!

**Dan:** Yes. Yes.

**Dale:** So I give them the room to fail and fuck up and that's pretty much what I do, that's how I manage a little bit and you know, one person fucked up and cost us \$300,000 and they came into my office, they were like shaking, they thought I was going to fire them and everything and I said, \$300,000 is a lot of money but look at it this way, it's training costs – you're not gonna do that mistake again, right? And they're like, never. And I said, I don't have to worry about losing \$300,000 from that stupid mistake again because you're trained! Please, don't cost me that again or we will discuss termination. And they went, thank you, you're awesome and they were out of there. And now they're inspired because I gave them room to fuck up and be better; they were inspired, they went out and were like oh my God, I'm gonna do better and I'm gonna do this and they're gonna end up making me way more money over time than that \$300,000 in training costs that it cost me.

**Dan:** That's awesome. So you kind of basically coach your CEOs and, how often do you talk with them?



**Dale:** So, that's kind of really dependent on the CEO. Some CEOs who are uncertain or new, they want to see me all the time. And that just wears me out. So I'll let them do that for a little while but then I'll start saying, you know why don't you try this and get back to me on this date? And I start pushing the dates out further and that gives them room to go out, test it, re-test it, decide that what they did was wrong and then go back and fix it and then come back and tell me, you know, when I give them the room and the time to start finding their own legs so to speak, they do so much better doing that so I try to push it off from day to day to weekly to every two weeks. I try not to go past like at least once a month with somebody – you know, at some point – well, there's one gentleman who is running around doing a business that we did together and he's, I don't know, I haven't talked to him for three or four months and I keep getting checks in my bank account every month so—

**Dan:** He must be doing something right.

**Dale:** You know what, he's over in Thailand half the time hanging out on the beach and I said, I don't care, I keep getting checks that's great. So, you know, he doesn't feel like communicating to anyone, so every now and then I go how you doing? He says, awesome I learned to scuba dive. And that's about it. And that's it. But, he spent three years with me, you know daily. So, you know, he's perfectly capable and so that's great. I don't need to hear from him every day.

**Dan:** So it sounds to me then that you very much focus on nurturing and developing the people, the leaders so that they can be independent on their own.

**Dale:** Yes. My management style is more of a inspire and get the fuck out of the way, rather than-

**Dan:** Babysitting and dictatorship.

**Dale:** Yeah. I'm not a good dictator because I'm too lazy. I'm not a good babysitter because I'm too lazy. I'm not a good micromanager because I'm just too ADD. So, the best management style for me is to inspire people and stay out of their way and to me, it benefits me in the long run. I used to do CEO coaching for a little while, for about two years when I was retired I would coach CEOs. I'm \$1000 an hour when somebody wants to hire me, but – and they at least need to have a \$10 million a year business before I would even bother. It's like bringing a canon to a dove hunt. So, I frankly, I've done that and I've seen coaching a \$10 million CEO go to \$100 million which is awesome, but I decided I just don't want to do that with my life because it's still a trading hours for dollars and it just wasn't my thing.



I'd rather, if I'm gonna inspire somebody and take them from 10 to 100, I really rather be an owner and an investor in their company and help them from like starting from zero up. So those are the kind of professional management I prefer to bring in and I will prefer to bring in a really good leader from inside and then help them hire them excellent talent from outside; like a CFO or a really good financial team or a really good whatever the industry requires team so that's a better use of my time is nurturing a CEO and helping him hire really good top rather than you must do this.

**Dan:** And when you promote from within, they know the business inside and out from top to bottom.

**Dale:** Yes. Like Carla Lee was doing one thing and buying houses and I moved her over to the assisted living and she knew nothing about that industry and I said, start reading. And within three months, she was a freaking expert in it. So, I can't argue with that.

**Dan:** That's awesome, that's awesome. And I share the same philosophy because I have all my mentees running my companies as well as my CEO's and I found that when it's a – not just like an outside CEO that you hire – but someone that you nurture and I love young people, I don't know if you're the same way, I love young people that you nurture them, you develop them over like a few years of time; it's like a mini-Dale, right? Right? It's the same thing and like they understand how we think, our philosophies, how we work, what we want, what we don't want, and like you said, it requires very little management, the loyalty is there; I don't have to be so concerned about them jumping ship or anything like that because I help them from when they are just starting with nothing. Do you basically share the same philosophy?

**Dale:** Absolutely. Here's my age thing. So, from 20-22 they're really good to hang around and do shit but I don't really hand them that much responsibility. From about 22-26, I find that young people are like discovering themselves and the most important thing that they discover is that everything they learned before is wrong such as school was wrong, this was wrong-

**Dan:** All the bad programming shit.

**Dale:** Oh my God, terrible programming in their heads, I like literally have to like delete and start over. So between 22 and 26 I just let them flounder. But the beautiful part is somewhere around 26 to about 28 is this magical window where they are typically not yet married, they are really, really hungry, they realize that life has lied to them – in other words – they thought they'd be a millionaire by now but

they're not going to be. And they're like willing to get on somebody else's ship and grab the sails or grab the oars and start paddling because they don't have any other way. And so if I say, here's your opportunity between 26-28 is my best opportunities for picking up mentees and from 28 to about 32 they are like nothing but hardcore, grind, get it done and they do the impossible and they do shit that surprises even me.

So that's kind of what I've found. So like I said before 26 I just kind of let them flounder around, they might come and work for me, they might not, or whatever but it's not until after about 26 plus that they have any kind of value. And so that's what I try to do, I try to get them in that age and then they're awesome. I also found one other age and here's the other age: it's about 40 to 45. So, these guys are really experienced in the corporate world and they go, I've worked all my life at these corporate jobs and I'm really good at this but I want more and I've saved up all this money but I don't know what to do and I'm afraid of jumping ship, but I'm afraid even more so of staying on the ship because I realize we're gonna hit this reef called retirement and I'm not gonna have any money. Those guys, when they do join my organization, they are gold mines. Because, you know, they will go do these big deals and they'll be able to go after big goals and they just do it and I don't know what it is but somewhere between 40 and 45 is another magical age for these men who realize that they're on the wrong ship and they fucked up and I say, hey how would you like some equity and do this and they're just unlimited and they're awesome.

And they're also not like quite so afraid to ask people for money. I raise money a lot and I'm like, ask everyone for money because that's where it's at. You can only make money on money if you have it, or if it's somebody else's. And if you don't have it, then that means it has to be somebody else's. That means you have to learn to ask for it. And those 45 year olds, they're like I'm gonna go ask for money! Great. The 26 year olds, they're still like, well what if they say no? I say, well go to the next person Jesus. So, it's always funny to me about that but yeah.

## RAISING CAPITAL

**Dan:** That's awesome. Yeah, that's fantastic. So with raising money, in the beginning you mentioned you kind of did real estate business which you didn't know much about it and didn't have a whole lot of money- yeah, no money – so how did you do your first real deals and how did you get the initial capital?

**Dale:** This is the funny part is, I didn't know it was supposed to be hard.

**Dan:** That's actually very profound what you've said.

**Dale:** Yeah, I didn't know it was supposed to be impossible or hard or anything, I just didn't know it. Somebody said, I said hey look there's an apartment complex some day I want to buy a bunch of houses so I have a bunch of apartments so I can rent them out and make a few bucks and somebody said, well why don't you buy an apartment complex, they're better than houses and I went, oh that's a great idea. I mean literally it was a conversation like that, I said, I wonder how you do it. And the guy said, well I know a guy who loans money out, why don't you call him? He gave me his phone number and I looked at it and I go, oh OK. I called up this guy, he's 93 years old and said hey listen, I want to buy this apartment complex, I need \$15,000 and here's what the apartment complex is and he listened for a few minutes and he goes, sounds good to me. 93 years old. So, I went over and I borrowed \$15,000 and he just wrote me out a check and I went over and took it to an escrow company and in half an hour I had this deal closed and I had my first 15-unit apartment complex and I was like, woo! And then about six months later I go, oh look there's another one for sale. So I called him back up and I go hey look I found another one, can I borrow some more money to go buy this one? And he goes, sounds good to me! And he loaned me some more money.

**Dan:** That's awesome.

**Dale:** It was supposed to be hard and so after those two experiences, I just asked everybody and when somebody said, oh I don't have that kind of cash, I go, well maybe you know somebody who does. Because I never thought that asking was supposed to be bad, it just never occurred to me. It was really funny because I got to about 75 apartments when this guy says, oh you can't do that, that's really hard. And I was looking at him and looking at my apartments and going, what do you mean I can't do that? I got 75 apartments, what do you mean I can't do that? Nobody told me I couldn't do it until I already had 75 apartments. And it just didn't occur to me that it was supposed to be hard. And I think because I didn't have the expectation that it was hard or scary or whatever that I just did it. It was just like, hey go take out the trash and I said, you know, OK and I did.

**Dan:** But that's a very powerful belief versus a lot of entrepreneurs, oh yeah what if they reject me, what if they take it personally or they rejection or who do I know? I don't have money. All this bullshit. But you just do.

**Dale:** I just did it! You know, I don't even think I rationalized it back then but looking back it was like, have you ever asked a girl out on a date and she said no? I mean your whole life didn't fall apart; I mean, I went home and had dinner that night and I had fun and I hung out with my friends and my life didn't end and I was like, oh. So

a “no” is not bad, it’s just no. And then a couple days later I met another girl and asked her out and we dated for a little while and it was great so to me it never stuck in my head that “no” was like awful or rejection was terrible.

**Dan:** It’s just what it is.

**Dale:** It’s just a “no.” Well, you only need one “yes” out of thousands of no’s, you only need one yes to be really successful and that’s really kind of how I saw it and I didn’t start with that bullshit so when people ask me, well how’d you do it? I go, well how didn’t you? Because it didn’t connect for a long time and then I realized later that belief structure that I had in my head was really valuable to other people because they had something totally contrary. And it took me till I was probably near my early 30s before I realized what I had was kind of, you know, not very common and once I started explaining how I did it in my head then however I could help somebody do it in their head that same way I started to do that.

**Dan:** I’m curious, Dale, who did you get that belief system from? Is it from your parents? Is it from mentors? You must’ve picked it up from somebody.

**Dale:** Yeah, you know it had to have been either from my – I think it was from my mom – she’s like, go out and do whatever you want, don’t get hurt worse than a bandaid. And I was like, OK. So I’d go do whatever I want, I’d go play- I was just totally unlimited in whatever I could do and whatever I wanted to do I just did and as long as I was safe, you know? Don’t get hurt worse than a bandaid. I thought, you know, and sometimes the most simple logic – the most simple command – it’s amazingly easy to follow. Go do whatever you want, be safe. And I was like, oh OK. Don’t get hurt worse than a bandaid. In other words, get willing to be hurt but nothing too bad. Nothing worse than a bandaid and so I guess that’s kind of the structure that stuck in my head of anything was possible and I could do anything and I might get rejected, I might get a little hurt, but just don’t kill yourself.

**Dan:** And to you getting rejection that’s not getting hurt that’s just, eh next.

**Dale:** It was the bandaid! I went home and hung out with my friends and the bandaid was torn off and I was fine. I think the other thing that really stuck into me was, you know, after I had a couple losses, especially in life, you know somebody – I don’t remember who it was – but some older gentleman looked at me and said, well you’re not dead. And I think that really impacted me because it eventually evolved into, you know, I can do anything. Even when I fail, at least I’m not dead. You know, I’m not dead yet. So, nobody took away my birthday, nobody came and



ate me, the rejection wasn't that bad. I'm not dead. It's OK. So in other words, it became OK and I think that structure really helped me that I could do anything and you know, aside from death everything was great.

**Dan:** That's powerful, powerful. And simple too. Dale, what do you think are the keys to raising capital that you've raised over \$100 million and even since a young age and most entrepreneurs, you know, can't raise a fucking dollar.

**Dale:** I know, go get me five grand and it takes them like three weeks – well, I'm getting ready to ask some of my friends to help – I was like, fuck that. Call some people who have real money. So what is the secret to raising money for me is first of all, so I kind of learned how by doing it wrong, I've learned to bring people only good deals, right? So if I bring somebody a deal I don't say, this is kind of an iffy sort of shitty deal – I just learned to tell the truth and say here's the thing, it's a really good deal and here's why, here's the risks, here's the worst case scenario, here's everything we can do to mitigate the worst case scenario – and if you can deal with the worst case scenario and be OK with it, fuck it let's do it. If not, don't. And I'm really blatantly honest with people. I go, you know you make no money with lazy money in the bank. No money. So, if it's time for your money to get out and work harder than you then give it to me because that's what I do and if it's not, don't play with me. And people look at what I've done and my history and track record and they go, fuck yeah I'm in. But that's not always the case; some people say no because whatever. I think just being really authentically yourself and just say here's the truth, the truth is you can lose all your money, it could be totally gone. Might fuck up. But, here's how – what has to happen for a fuck up to occur to lose all your money and when I start explaining it to them they go, that's absurd. I go, I know, isn't it? And they go, OK so basically everything's gotta burn down and a nuclear bomb has got to be dropped before we lose money. I go, yeah pretty close.

And once they understand that, they're like yeah OK I'm willing to take a risk. And then of course you're successful once, they start telling their friends and if you're successful twice they start telling all their friends and pretty soon you start showing up and saying, hey here's what I'm doing. And it's great. It's easy to do it that way. And frankly I'm not desperate. I'm never desperate. I just go, if you wanna play, great. If you don't, no problem! I just let them keep their money and I go on and do my thing and later on, years later sometimes they come back and go oh I should've invested with you. I go, well yeah. Maybe or maybe not. I'm glad you didn't because we probably wouldn't have gotten along. And so, and you know, at this

point in my life I really look for investors that get what I do, trust what I do and say what I do and do what I do and if that's – if they're one of those super distrusting types, I go I don't need your money, I don't want you-

**Dan:** Right, because they're gonna be a pain in the ass. You don't want them anyways.

**Dale:** I know! I said, the worst thing that could happen is you piss me off so much that I go write you a check and get you out of my deal because you suck. And I said, I don't want people like that in my deals so I don't take their money. And they're like, no, no, no I won't suck. I say, no I know you're kind of a pain in the ass now, you'll be worse and I don't need your money.

## DEALING WITH INVESTORS

**Dan:** That's correct. And then with the investors do you – because I found that it's mostly, when it comes to raising money, it's all relationships. I personally – that's what I want to hear from your point of view; I don't believe in a long business plan and all that shit, you know. It's like, you believe in what I do – I give them a plan but it's not like a long 100 page business plan. What do you do?

**Dale:** It's usually about a page or two. Usually I try to sum up the deal. I have a format I use it's called a deal sheet summary and it's like here's a picture of what we're doing, here's the business model, here's the numbers that we predict, here's what I'm looking for, here's what you get for it, here's who is doing this, here's our time frame, are you in or out? And that's really fucking simple. I mean, it's usually two pages because of the picture. The rest of it is a page.

**Dan:** Yeah. And I've found that if they want more information, more financials, more paper and all that stuff I'll get it to them but I mean most of the time people – I mean, ideally either it's hard or it's not, right? So if you look at that two page and go yeah I'm in or no, I'm not in.

**Dale:** Yeah, yeah I mean I explained it to somebody really simply. They said tell me about the system I said here's the really simple numbers – we buy a \$300,000 house, we put ten beds in it, we put ten people in those ten beds, they pay \$4000 per bed per month. That means we collect \$40,000 a month and half of it goes to expenses that's paying the food, the people, everything else – so I said, we make about \$18-20,000 a month net on a \$300,000 investment. Is that OK for you or not? And they're like, well what happens if you can't get customers? I go, these are

old people. Old people do not go out of style. Getting old never goes out of style. It happens to everybody. We will have customers forever. And they're like, I'm in! Right, like holy crap.

**Dan:** And if we can't explain our deal in a couple minutes, I mean something is wrong here. Dale, how do you structure the deals with investors? Like what equity do you give them? How does that work?

**Dale:** Yeah, depending on the deal like so if a deal has real estate in it, I include the real estate. If it doesn't have real estate in it, I don't include real estate. I don't mind paying debt because I know that the debt may be expensive in the beginning but overall in the end it's very, very cheap compared to giving away equity. Now everybody wants to be on the equity side because they don't always want to take the risk. Some people just want income so I say give me your money, I'll give you an income, I'll give you an interest rate back, everyone's happy.

**Dan:** And what's a typical interest rate you think?

**Dale:** So I have done deals as low as six percent and as high as 40 percent. I mean, I literally have paid 40 percent interest before, but that's because it was a short term deal and it made me a lot of money and I didn't want to give up any equity but I gave them a really good return and it was awesome, for everybody. I mean, I'm all over the place. I usually do a risk adjusted interest rate which means I look at the risk and we sit down and say, OK if there's like a whole shitload of risk, I'm gonna give you a higher interest rate. If I can show you that I can take away all these pieces of risk, can you agree to drop your interest rate for everything I take away? And they're like, yeah OK and then we sit down and figure it out. But I usually start with the investor and where they're at, what are they looking for? Are they looking for income? Are they looking for equity in the future? What are they looking for?

**Dan:** What's their risk tolerance?

**Dale:** What's their risk tolerance, right. Because I do a number of different deals, I want to know what they are looking for before I say, does this fit what you want? Right?

**Dan:** Makes sense. And how do you go about like say for our listeners, well you know Dale, easy for you to say, you're successful. How does a little me go find investors?



**Dale:** First of all, there's money everywhere and it's the most ridiculous thing – people go, I can't find investors. I go, well you should start looking at some point. And they just don't get it. It's everywhere. How do I find investors? I had an investor from Starbucks, OK? Not from the company, from the store. I was sitting in Starbucks and I was telling somebody a really compelling story about what I was doing and this guy turns around and says, oh my God. I want to know more. And I go, who the fuck are you? And he said, well – he's a corporate guy, he worked all his life, he was in his 50s, and he's looking at a retirement that wasn't going to pay him very much money and he was realizing he should've started 10-15 years ago and he was pissed that he had like half a million dollars that was earning him maybe the equivalent of a percent and a half. Two percent, something like that. Ridiculous. And he said, I want to know holy shit what are you doing? How can I do that? Can I get involved?

I go, whoa slow down cowboy. I don't know who you are. I don't know anything about you. You overheard me. Let's talk first. And that was early on. What I discovered since then is if you have a really good, compelling story; if you take your business and you boil it down to a couple sound bites that grab people viscerally at the gut level like oh my God! You've got what? You found gold in your bathtub? How the fuck do I get involved? If you can boil your story down, not into like a 30 second elevator pitch, but more like 7 second sound bites; less than seven seconds if you can do that. And so if you can do like a seven second sound bite, you can get people. Here is what I did. I call it two sentence marketing. I used to develop two sentences. First sentence was shock and awe and second sentence would identify my target customer and the biggest benefit I brought them.

So that's structural what it looked like. Here's how it sounded practically; I was out raising money for the public company so I go to a party and people say, what do you do? And I said, well I'm a bank robber. And people would laugh and go, what the hell is that? So there's my shock and awe because that's really unusual. And my second sentence would sound something like this – well, I raise money from investors and I buy houses at 25 cents on the dollar. And now, ten people would hear this and only two people who had money, or considered themselves investors, they self identified themselves as investors, in their own head, they would like in the back of their mind raise their hand and go, oh that's me. I'm an investor and I wanna know how I can buy 25 cents on the dollar. And they would invariably come over to me and say, I don't know what you got going on but I want to hear more of how you're doing 25 cents on the dollar houses. And I'd go great, let's sit down. And so literally in two sentences, in less than seven seconds I could



say something and people would go, I need to know you. And so to me raising money became hilariously easy. So that's just one way. That's just kind of who you are out in the world.

The other way is I don't mind paying for expertise. So, I would go around and interview attorneys for one of my companies or CPAs – everyone goes to their CPAs, they say hell no. The right deal attorney will say yes. So here's what I was doing was I was telling them about possibly hiring for this non performing mortgage company, we were buying non performing mortgages and he said, hold on and he gets on the phone and calls his friend and goes, you've got to hear this, come over to my office in a little bit and hear this guy, it's an amazing deal, OK cool, see you later and he hung up. And then I started telling him some more he says, whoa whoa and he picks up the phone and he calls his brother-in-law and says you've got to come over here and hear this guy, this is great and in those two phone calls he raised me almost \$20 million dollars. So, sometimes going to the guy at the point of nexus where all of these people who would have money would come together in a confluence or a nexus point; finding those people, you find the right ones and you pitch to them in the right way, they're gonna pitch for you to 20 or 30 more people who have the money.

**Dan:** Because also, it's in their best interest to do so.

**Dale:** Holy shit because one, I hired his ass. Two, he also brought really good deals to his friends who were used to making one or two percent and now I am making, you know, 15 or 20 or 25 percent – this is awesome. So they look at him and they think he's great.

**Dan:** So he looks like a hero as well.

**Dale:** He looks like a hero. So, the other thing is if you give investors, the first round of investors, something to brag about – in other words, if you give up almost 80-90 percent of your equity in your first deal; just because you want to have a track record, not so you can get rich off one deal but so you can have a track record, you're gonna have a person who can brag to every single friend of theirs about you. So I always try to give my investors brag-worthy deals. And what do they do? Especially new investors, I give them brag-worthy deals.

**Dan:** Yeah it's like free word-of-mouth advertising right there.

**Dale:** Absolutely. So what happens is, is they're my best marketing by far. They will bring me people and they're like, hey, we got people and oh my God do you want to do this? And I go, sure. And I say listen I gave this guy a really good deal but the

deals gotten a little better and there's less risk so the return is going to be a little bit less. I'm not, you know, talking about majorly less but over time you go from let's say 50 percent to 20 percent to 15 to ten to you know now you can say, hey listen I'm really successful in this venture, you get a six percent return but there's no risk. And they're like, yes! I'm doing it! So, you know and I found that if you just give up a little bit on the front end you can have an unlimited amount on the back end and so many people are so greedy the first couple of times that they're like, I gotta scrape every nickel off this first deal and fuck my investors. I'm going, no!

So, the other thing that I learned was I borrowed money from that very first guy. The little old guy who used to say: sounds good to me! Until he passed away. And then his wife loaned me money until she passed away and then her kids were like, well we want the money because we want to go play with it and I said, OK fine. But, I have had investors for sometimes decades until they pass away and it's really a nice easy thing to have somebody who believes in you that will write you a check whenever you ask, for damn near anything, for decades, or until they die. Having investors until they die. And you do that by being really good to your investors and you end up with unlimited money. It's so amazing. Does that make sense?

## LET'S MAKE A DEAL

**Dan:** Yes, that makes a lot of sense. And one thing I've learned in my career, and I kind of want to pick your brain on it, at first I would say in the first decade I thought it's a misconception that marketing is the most important in business. Later on I learned that actually deal making is actually the most important because deal making precedes marketing. So, what's your take and you're such a prolific deal maker I want to see how you do it and how you think as well like when it comes to deal making.

**Dale:** Describe to me what you mean by deal making so we're on the same page.

**Dan:** Deal making to me is you are taking, leveraging different resources, contacts, capital, anything just to maximize the value of it that – sometimes you turn nothing into something.

**Dale:** Oh yeah, OK that is exactly right. So listen, if you know how to cut and slice a deal so everybody involved wins, then you have one, an unlimited number of deals because you can take shitty deals and turn them into good deals and two, you have almost an unlimited number of investors willing to invest because you always make it a win for them as well. Right? So yes, marketing is like sitting on top of mountains and trying to tell the story of how good you are. Awesome. So what? Deal making is all about structure, if you understand how to structure things and

slice and dice whether it's money or it's time or it's services or somebody else's contact or changing the use of a property or whatever, deal making is so critical to understand. And a part of it is negotiation, everything thinks it's negotiation, it's not.

**Dan:** It's not. It's not.

**Dale:** Negotiation's probably about ten-fifteen percent of it.

**Dan:** I agree.

**Dale:** And deal making is about structure, OK. What am I gonna give this person and this person and this person to make them all happy to do this and get everybody in? And this is what I try to tell beginner deal makers is, they're all about themselves and it's all about ego and marketing feeds ego and ego does not pay you. So, when you feed ego, it doesn't pay you back. It doesn't feed you. It sucks. Let go of the ego and try to make a win for everybody else and suddenly you're gonna go, wow I made a win for these several people and they're super excited to introduce me to people who are super excited to support me, they're super excited to do my next deal and believe me, it did not hurt my bottom line at all to do that. So I tell these beginning dealmakers, I go listen, think of how you can be generous enough for everybody else that everybody walks away from this thing happy and then you're going to begin to understand how dealmaking should be approached or started.

And then over time you go you know what, I'm gonna take this additional risk on so I'm gonna ask for a little bit more because I'm taking this risk and OK you're going take this risk, you can have this and you start working it so it's a win win for everybody and people will come out of the woodwork to give you deals and number two to be part of your deals as an investor or as a building or whatever – whatever their thing is and you will never find a lack of – you're right, I'm absolutely stunned by how a deal of a lifetime comes about once a week for me, so literally it's just so amazing. I don't even have time to do all the deals that I have brought to me. I just now pick and choose. Like the most – one of the best deals I did in the last 12 months was this building we bought here; we bought a really nice Class A, 16,000 sq. foot building. It was out of a bankruptcy of a really big company and I bought it. A bank was trying to sell it, another big company tried to come in and leverage it and then they backed out at the last minute and I came in and I worked a deal for several investors and everything else; I had to close in just after Christmas, before the end of the year and I saw it and closed it within like 15 days, right? So it was like really short.

**Dan:** Wow.

**Dale:** But we bought this building, we came up with \$850,000. We bought the building and it appraised 6 months later for \$4 million dollars. So it was a good fucking deal. And I did it so everybody won. Everybody involved got a really good return. I mean one guy, the guy who took the smallest piece and put up the most money for the least amount return still doubled his money. He was not unhappy. And so if you just take care of everybody else – week after we found out it appraised for \$4 million, he called me up and says I got this much money do you have any more deals I can give you? So then I had a new job of trying to find deals that I could let him be an investor in. And you're gonna find that times ten if you do deals right. So dealmaking is more about, how do I make everybody happy rather than how do I put the most money in my pocket, fuck everyone else?

**Dan:** I absolutely agree. The metaphor that I use is like any deal that you do, say you're supposed to get paid \$100 let's say OK, you could ask and fight and negotiate and get \$101, \$102 – that's OK. And you just might get it, but if you actually leave some money on the table you know what I'm happy with just \$95, that money just comes, that deal just comes.

**Dale:** Right. I'm gonna go a little bit further and sometimes say fuck it, I'm willing to take \$70. And I will leave \$30 and then guess what? I end up with ten people on the other side saying, can we give you more money? And I go, let me find another deal or two. Yeah. So sometimes even if you take 30 you can do ten more deals quicker than if you just say I wanna do \$95 or \$101, right? I don't want to be a jerk.

**Dan:** Dale, let's say for the apartment deal where you have investors and you're the one that put it together, you find a deal, how much equity should someone get when putting together the deal?

**Dale:** So, alright. OK there's like the syndicator type model and then what I do is a little bit different. So the syndicator says hey listen, we'll put all this money together and we'll hire professional management and I'll take five or ten or fifteen percent off the table and all the investors get all the rest. I usually say listen, I'm gonna take first position, I'm gonna be the lead investor. And even though I may put in cash or not but I'm gonna be the lead investor which means that ultimately the responsibility comes back to me and ultimately I make sure shit works or not and I don't just hand it off to somebody else and say, well hopefully it works. That's bullshit. I have to take more responsibility for that because I know. So I will take



like fifty or seventy percent of a deal and say, alright. Here's the debt structure and here's what we're gonna try to do. In this period of time we're gonna refinance and give everybody their money back and leave you a nice chunk of equity.

So, your money goes in first, you get paid a little on your money and you get 20 or 30 or 40 percent of the equity. Then we'll refinance, we'll take out all the money and it goes to you and then you have your money back (or most of it) and you still have that equity piece and most people like that and get that. And I say, I'm gonna take lead investor to do that. I'm gonna take lead responsibility to make that happen. So instead of the syndicator model where you may take five or fifteen percent-

**Dan:** Too little, too little.

**Dale:** Too little. I take, you know, so there's a fundamental philosophy and it's either there's one captain to a boat. If it's you, it's you. If it's me, it's gonna be me. We're not gonna argue about it. It's either 51 my favor and I drive the boat and I'm responsible and I make the final decisions; you can vote all you want but I make the final decisions. Or it's you and you make the final decisions and I accept the fact that I am second in, you know, I'm an investor and I'm passive. And so I say if you can handle me driving, let me drive because I've got a good history. If you want to drive, then I'm – I never do 50/50 deals. Never. I will either take 49 if I'm not gonna run the business, or I'll take 51 if I'm going to. And that's all there is to it and I tell that to investors. So I expect 51-75, all the way up to 85 if I'm doing most of it.

**Dan:** Yeah. And because they get all the capital back so it's all just gravy, free money for them so they are willing to accept a lower equity and they know your track record, it's yeah no problem. Plus, chances are they get all their money back, they're talking to you, hey Dale, where's the next deal? Let's put the money to work.

**Dale:** Right. So I will do a step deal where I'll say listen – first, in this apartment complex we'll do 60/40. I'll take 60, you take 40. But after I refinance you and you get all of your money back, you go from 40 down to 25 or 20. And they're like, I have all my money back and I get to keep 20%? I go absolutely. They go, fuck it. I'm fine with that. OK. Because if I'm going to go ahead and do this I want to be able to buy back some of your position for the shift in risk. When you have no risk then you know the equity shifts a little and nobody really argues with that very much. I mean some people do.

**Dan:** Yes. I love the way you think and how you talk about it's a win for the seller, a win for the investor, a win for you and you just make sure everybody is happy and they keep wanting to do business with you again.

**Dale:** Right, right. Well, you know, and I'm used to- here's one thing I do have. I have some tools that are probably outside most beginning investor's tool boxes.

An example is OK we're doing these assisted living facilities – because they've got such a good cash flow that we would build them up, and then we would go do a bond where we would lock up the cash flow and the property but we'd be able to pull out a lot more cash on a bond market doing that than somebody would be able to getting a loan from a bank. So, you know, so I know how we can go to the bond market and we do a registration and we pay attorneys fees but then what we do is say, hey look we're gonna do all this stuff and pay all these fees – literally we could buy about ten facilities for \$4 million and we're looking at a 7 percent bond with the cash flow that it would have we could pull out almost \$32 million. Well, that means that you'd be able to pay off all of your underlying original investment and still have that much left for like tax free income. That's tax free because it's a loan instead of a sale. And then 25 years later you get all that back.

So I just think a little bit different level than some people do because I have had experiences with public markets and raising money that way and things like that and I realize there's a ton of money out there you just have to learn how to raise your hand and ask for it.

**Dan:** It also sounds to me that you're also more concerned with the return off investment not just on investment. You want to get the money in, get the cash out so you can put it to use for something else.

**Dale:** Yeah, I love leverage. And I've had some really good lessons of leverage – I've also learned some hardcore lessons of leverage the other way. In 2008, I did lose about \$20 million which sucks, but it didn't take away my birthday and nobody died so it was OK. But it did suck a little bit.

## BUSINESS OF THE INTERNET

**Dan:** Dale, this is so fascinating. I mean I could ask you a couple questions before I let you go, this is so awesome. So from real estate, I get that. But how do you go from that to internet? Like to me it's just two different things here. So what happened there?

**Dale:** Well, so I read a book – it's really funny, I read a book and I really believe that after I see or hear somebody else do it I totally believe that I can do it because I said why not? You know.

**Dan:** A very powerful belief to have.

**Dale:** Yeah, yeah. I mean you know I didn't know it was supposed to be hard. So our first website was called pigtones – politically incorrect gps voices so pigtones dot com. It's still up. A friend of mine and I were driving in 2008 heading back from Idaho to Texas and we drove through this mountain pass it was crazy, we had this GPS on it was 4 in the morning, snow was flying, we were just incredibly tired but we couldn't stop because it was a blizzard and the guy had bald tires and it was like what were we doing? And I was riding back with him, he said hey listen I got to drive back to Texas, would you help me drive the car back and I was like – I don't know why I said yes – but I did. Anyways, this GPS kept talking to us through the snowstorm at 4 in the morning, 2-3 in the morning and it was so funny we thought we heard the voice of God coming out of this thing and we were laughing till tears were running down our face. So the next day we said why don't we put a different voice on this damn GPS? So we did and we ended up taking that and we hired a guy to decompile the thing and build some voices and some software and it cost us about \$50,000 to build the first time. It took us about six months but we ended up selling those voices online and suddenly this company online was selling software that we paid for once and it started making a quarter million dollars a year, very passively. Like I think we were spending maybe an hour a month on it. And we're like, wow this is awesome. And I started realizing this is really kind of cool and I'd read the 4-hour work week and we'd kind of built it based on that model to see if we could do it and we did it and we thought that was awesome. And after that I started meeting a lot of people in the online space, I started asking a lot of questions and I deep dove for a little while and I understood the entire industry and I said this is a really cool thing and so we started learning how to start selling different products and different things and like you know so in 2011 we started the nutraceutical company and we're selling online and just once you understand it, it's so cool because it's location independent, right?

Part of our team is in the Philippines, part of them are in like Estonia or some place like that – some of them are here and yet our manufacturer is in Florida, our shipper is in Colorado, our call center is in Phoenix – it's so amazing that you can have an incredibly robust, very profitable large company and you're just hanging around the office and checking on things every now and then and it's so – so when I looked at that I said this, is really – and you could scale too. The beautiful thing about real estate is that it's a hard asset but the bad thing about it is that it's a



hard asset. And so whereas this is numbers and 1's and zero's and perceptions and all sorts of stuff and I went, this is awesome. So we just went that way and started doing that and that's how we started doing the internet stuff and it's just been a blast. You know when smartphones we saw a decline in number sales on GPS units like Garmin and Tomtom and we didn't want to build the app again for the cellphones, we were on to other things but it was just a cool experiment to whip it out and for three years produce at a quarter of a million dollars a year, pretty much on autopilot – that's always great to have.

But I didn't know it was supposed to be hard. Again. It was just that.

**Dan:** And then now with the internet what's your strategy for like scaling internet business?

**Dale:** So alright. The internet business has a beautiful part to it but I see a lot of glass ceiling with the guru model. Like hey I'm a guru, I'm selling this how-to ebook and everything else and it has a glass ceiling to it, it kind of also pigeon holes you a little bit and it's hard to step back. You remember my first criteria is, how fast can I fire myself? Well if you're a guru you can't and so I had to get to a product instead of an info-product, I had to focus on physical product type products because that's scalable rather than the information product. I did a couple information products, I experimented with it, it's OK but again it has this glass ceiling, I can't scale it very easily and so info products were hard for me to scale, unless they were a product that met a mass market need. If it's too niche, you've got an immediate limitation.

**Dan:** Correct.

**Dale:** So I always focus on mass market stuff. If you have a mass market you can tap into, you can get pretty big. But when I was looking at some of the guys who were in the info space and they were like some of the top guys at the time were making 8 or 10 million dollars a year and I was like, that's it? I was really discouraged. So, I start going where's the biggest, fastest mass-market product we can go that's physical that doesn't require me? Nothing else and we got into the nutraceuticals, you know the you know stuff that anything you can take in a pill or a bottle and-

**Dan:** Also high profit margins, of course.

**Dale:** Very high profit margins. And a lot of people who continually reuse and look for and are trying new stuff and it's a worldwide market. So, it was like well shit let's do that and you can scale that pretty quickly. I think if we do everything right we



should be at \$60-80 million next year and that's kind of more or less running itself. That's kind of fun.

**Dan:** Yeah and do you believe in — because I scale most of my internet companies just to pay — I don't believe the whole SEO and the free traffic that kind of you know —

**Dale:** That's small thinking, you know what that is? That's the smoke and mirrors bullshit that some guru is trying to sell for a thousand bucks-

**Dan:** For an information product, right?

**Dale:** Let me tell you, I had 12 people doing SEO in the Philippines for me for like a year and a half and then Google makes a change and all the work they did was useless, I'm going fuck this, this is not sustainable. I hate SEO with a blue-eyed passion. Blue-eyed passion. Pure disgust with SEO. And I only do pay traffic. I don't know, we spend \$10 million plus on Facebook traffic alone last year — we are OK because if you spend a dollar and you make \$1.10 well you can scale that up infinite. If you spend a dollar and you make 90 cents, you're close well you spend a dollar you make 92, you spend \$1 you make 96, you make \$1.10 aha that you scale. You spend a dollar and then you keep improving, make \$1.20, make \$3 that's awesome. That's scalable and I'm all about paid traffic myself. Yes. Absolutely. We use a lot of affiliates to drive traffic to us so that we don't have to have the in house expertise.

And you know that's just another thing you can fire yourself back from a little bit. Little less profit margin but it's OK. It's still scalable, so I am totally with you on that Dan. Anywhere we can get paid, screw that SEO, I will do paid.

**Dan:** And it's all about control, we can skim up and down. If Christmas is coming up you may want to increase a budget, you know generally want to decrease the budget, we have so much more control.

**Dale:** Right. So what you do is you say I only have this much product this period I better not overshoot and you can control that. You can literally turn the faucet on and off and that kind of control is amazing so I totally agree with you. You know, I've been an angel investor in a lot of different companies and start-ups and I mentor young companies and start-ups for equity sometimes, I'm amazed at where people start and what they think and I just go, how the heck do you even get out of bed in the morning and operate? But they do and they you know they muddle through and sometimes they're successful but boy, I don't remember it was that bad.

**Dan:** Well, I know it's they don't have the believes that you had – it's not supposed to be hard. Right?

**Dale:** Well yeah but you're right. One of the best tools I ever discovered was NLP – neuro linguistic programming. Fucking awesome tool for self mastery, for understanding communication, for becoming a better communicator, for doing things in the world and changing the way you operate in the world – fucking awesome tool kit – I recommend it to anyone, I can't recommend it enough in fact. In fact I send about all my CEOs and all the people I think might turn into CEOs that I mentor, I require that they go to class and it's usually – so I learned from somebody in Dallas, it was nine months of class for the first level, nine months for the second level, so it's like a two year commitment to really getting your shit together and learning to communicate at a higher level. That's what I require people when they start working with me, it's not like well hopefully you'll be better in the future. Fuck that. I know how to do it. Go to this class.

**Dan:** And you know that if they're not willing to go to the class-

**Dale:** Oh, they self-opt out of my program real quick.

## CLOSING REMARKS

**Dan:** Yeah, that's awesome. That's awesome. Fantastic. Dale, there's so many golden nuggets I recommend you to listen to it again. Dale, thank you so much. Any final thoughts or contact information so if our listeners want to get in touch with you or learn more about what you do?

**Dale:** Sure. I'll give you two things. One, I'll give you my email: it's dale@haloriver.com – it's where they can get a hold of me at, where they can reach out and ask me questions or whatever. I'm willing to field some questions – just so they know and so you know if somebody bugs the shit out of me without adding a lot of value to my life, I will you know eventually say listen, I'm gonna cut this conversation short – we're done. So if you're gonna ask me questions, ask me good questions. Ask me well thought out questions. Don't ask me, how do I get rich? Because frankly you're gonna get a real short answer that says work hard and that'll be it right.

But if they ask good questions, I'm willing to engage them and sure I'd be happy to kind of throw some nuggets. One of the things is you know if they have questions on some of the other stuff I've done, and they want to know some more golden

nuggets, ask me! Because I have a whole shitload of information that I'd be happy to give people, like you know how to do this or this – I've got a lot of cool experiences that I'd be happy to share.

**Dan:** I appreciate that. For young people, any one last piece of advice?

**Dale:** Yeah! Stop being so chicken shit! Stop being so scared! You're afraid of the wrong shit. Stop being terrified because it's bullshit. All the fear you have in your life, until you're fucking dead you don't really have anything to be afraid of. Everything. The judgement of your family, the judgement of your friends, the judgement of your co-workers or your future boss or future-former boss, I don't give a shit. The point is, if you want to go out and try shit, go out and do it. You're gonna fall down and skin your knees but if you know you're going to do that and there's no fear on the other side of it, you're gonna accomplish major shit. But if you're afraid for the next 20-30 years, you're gonna fucking hate yourself when you get to be 50 and bitch about when you were 20 you should've done it. That's it.

**Dan:** That's fantastic. Thank you so much for inspiring us today with your ideas and golden nuggets and sharing your thoughts and thank you so much, I appreciate it.

**Dale:** Dan, you're awesome. I appreciate it.

Dan Lok is often referred to as one of the "Most Connected People on the Planet," it's easy to see why.

